APPLICATION ACCEPTED: January 5, 2010
DATE OF PUBLIC HEARING: March 24, 2010
TIME: 9:00 a.m.

County of Fairfax, Virginia

March 17, 2010

STAFF REPORT

SPECIAL PERMIT APPLICATION No. SP 2010-DR-002

DRANESVILLE DISTRICT

APPLICANT & OWNER:	Susan and Douglas Corbin
ZONING:	R-2
LOCATION:	1703 Forest Lane
ZONING ORDINANCE PROVISION:	8-922
TAX MAP:	31-4 ((5)) 13
LOT SIZE:	15,010 Sq. Feet
SP PROPOSAL:	Reduction of certain yard requirements to permit construction of addition 8.8 feet from the side lot line.

STAFF RECOMMENDATION: Staff recommends approval of SP 2010-DR-002 for the addition subject to the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

Mary Ann Godfrey

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703-324-1290 FAX 703-324-3924
www.fairfaxcounty.gov/dpz/

Excellence * Innovation * Stewardship
Integrity * Teamwork * Public Service

The approval of this special permit does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505**.

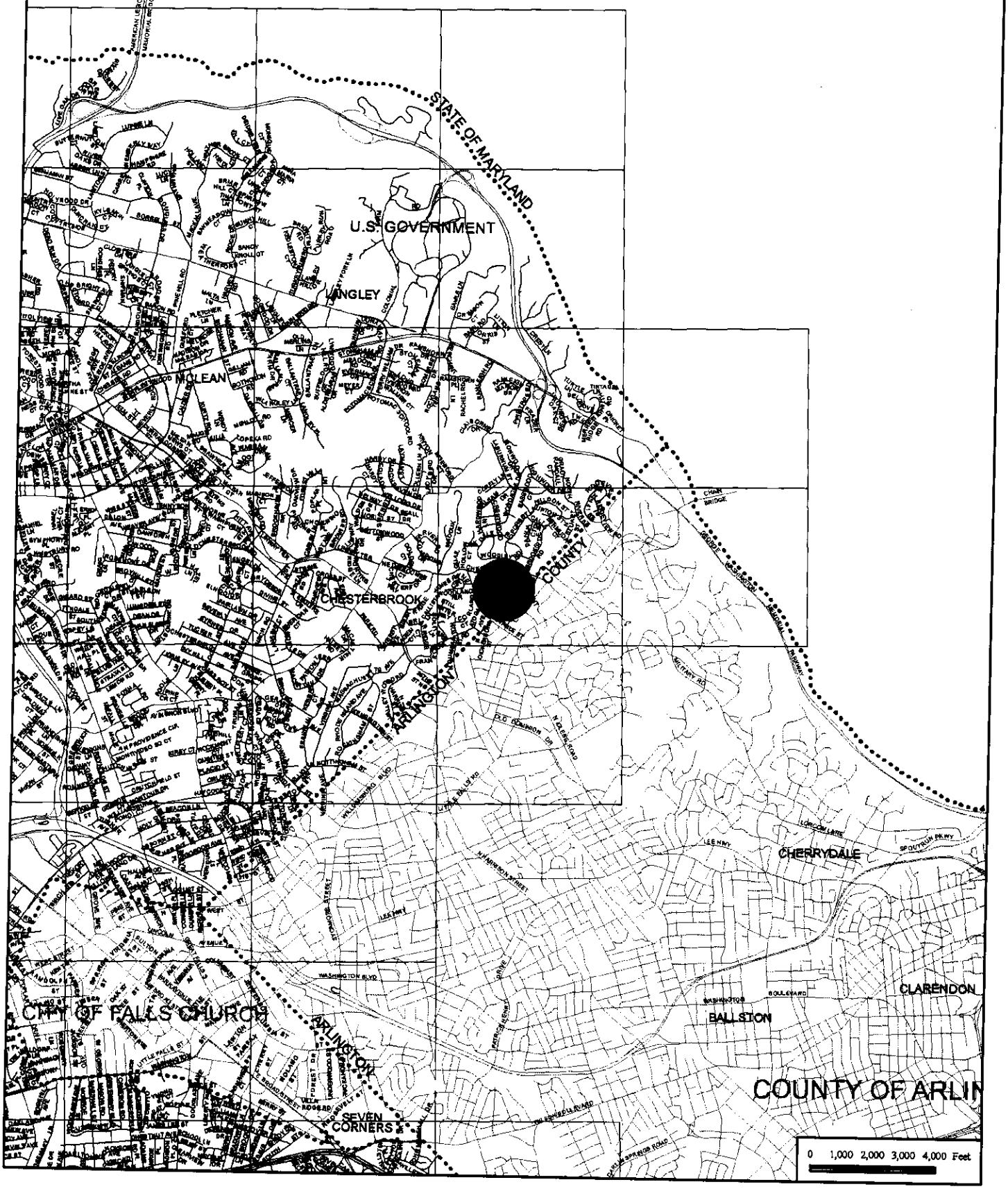
O:\mgodf2\SP Reports\Corbin, SP 2010-DR-002,yard reduct.Cover.doc

Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

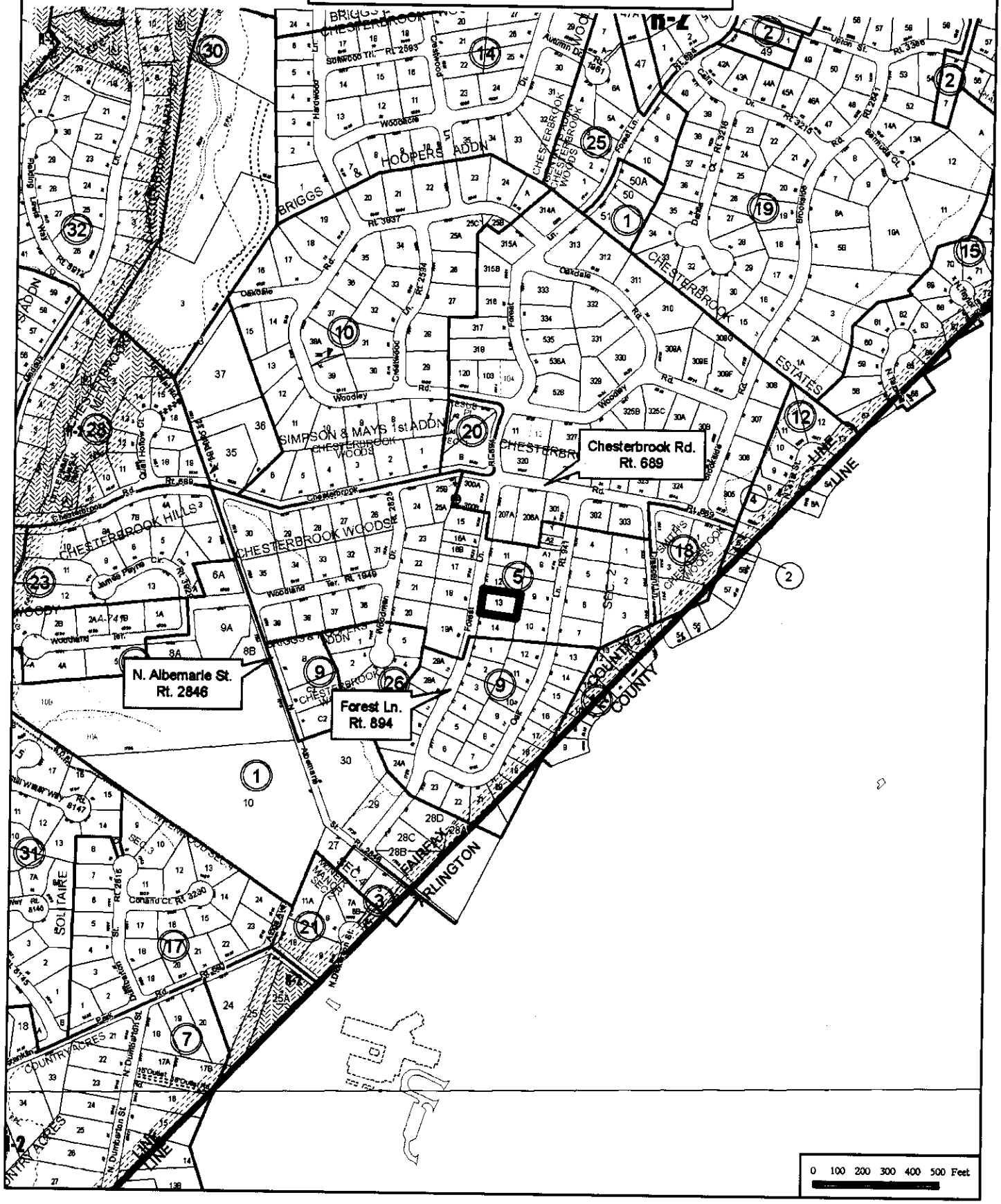
Special Permit

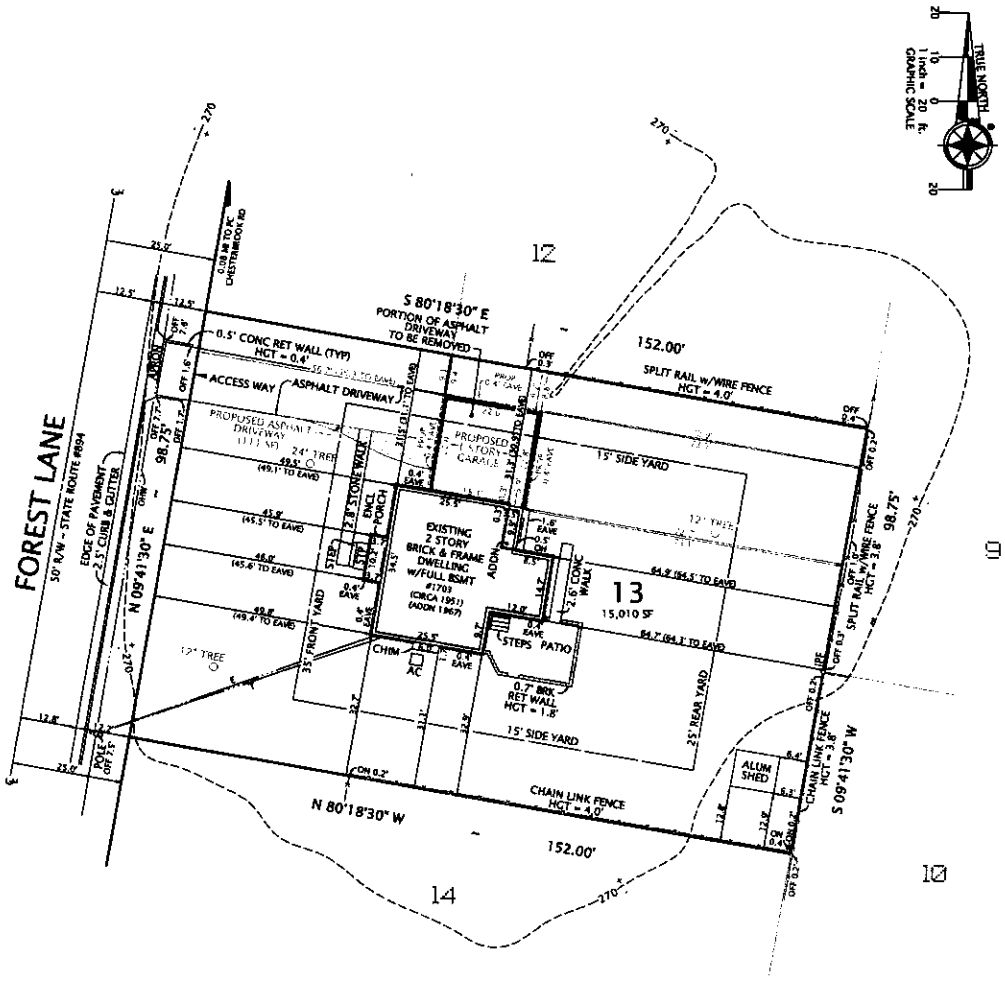
SP 2010-DR-002

SUSAN & DOUGLAS CORBIN



Special Permit
SP 2010-DR-002
SUSAN & DOUGLAS CORBIN





NOTES

1. TAX MAP: 31-4-005-13
2. ZONE: R-2 (RESIDENTIAL 2 DU/AC)
3. LOT AREA: 15,010 SF (0.3446 ACRE)
4. REQUIRED YARDS:

FRONT:	=	35.0 FEET
SIDE:	=	15.0 FEET
REAR:	=	25.0 FEET

5. HEIGHTS:

EX DWELLING	=	23.2 FEET
SHED	=	07.4 FEET
PROPOSED GARAGE	=	10.0 FEET
ENCLOSED PORCH	=	09.4 FEET
FENCES AND WALLS	=	AS NOTED
STP	=	1.2 FEET

6. THIS PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
7. THERE IS NO OBSERVABLE EVIDENCE OF GRAVE SITES OR BURIAL GROUNDS ON THIS PROPERTY.
8. ALL IMPROVEMENTS SHOWN ON THIS PLAT ARE EXISTING UNLESS DENOTED AS PROPOSED.
9. THE SURVEYOR IS NOT AWARE OF ANY UTILITY EASEMENTS 25 FEET IN WIDTH OR GREATER AFFECTING THIS PROPERTY.
10. TOPOGRAPHY DELINEATED HEREON WAS TAKEN FROM AVAILABLE RECORDS, IS SHOWN AT 5' INTERVALS, AND IS AERIAL.
11. THERE ARE NO FLOODPLAINS OR RESOURCE PROTECTION AREAS ON THIS PROPERTY.
12. AREAS:

EX BSMT	= 1,058 SF
EX 1ST FLOOR	= 1,093 SF
EX 2ND FLOOR	= 1,093 SF
EX GROSS FLOOR AREA	= 3,244 SF

EX FLOOR AREA RATIO = 0.22
EX GFA (3244) / LOT AREA (15,010)
= 0.22

PROPOSED GARAGE = 485 SF PROP GAR (485) / EX GFA (3244) = 0.15

PROP GROSS FLOOR AREA = EX GFA (3244) + PROP GAR (485) = 3,729 SF

PROP FLOOR AREA RATIO = PROP GFA (3729) / LOT AREA (15010) = 0.25

PLAT

SHOWING THE IMPROVEMENTS ON

LOT 13, SECTION TWO

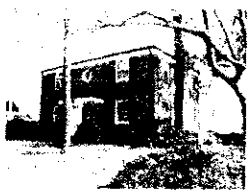
CHESTERBROOK WOODS

(DEED BOOK 613, PAGE 19)

FAIRFAX COUNTY, VIRGINIA

DRANESVILLE DISTRICT

SCALE: 1" = 20' NOVEMBER 10, 2009
FEBRUARY 12, 2010 (REV DRIVE)


FRONT OF DWELLING

FRONT OF DWELLING/RIGHT SIDE

REAR OF DWELLING

REAR OF DWELLING

I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS AS OF THIS DATE.

THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD.

A TITLE REPORT WAS NOT FURNISHED.

NO CORNER MARKERS SET.

COMMONWEALTH OF VIRGINIA
11/10/2009
GEORGE M. O'QUINN
LICENSE NO. 2069
LAND SURVEYOR

George M. O'Quinn

CASE NAME:

CORBIN

SEI DESIGN BUILD

DOMINION Surveyors Inc.
8808-H PEAR TREE VILLAGE COURT
ALEXANDRIA, VIRGINIA 22309
703-619-6555
FAX: 703-799-6412

#91102006

#65-09

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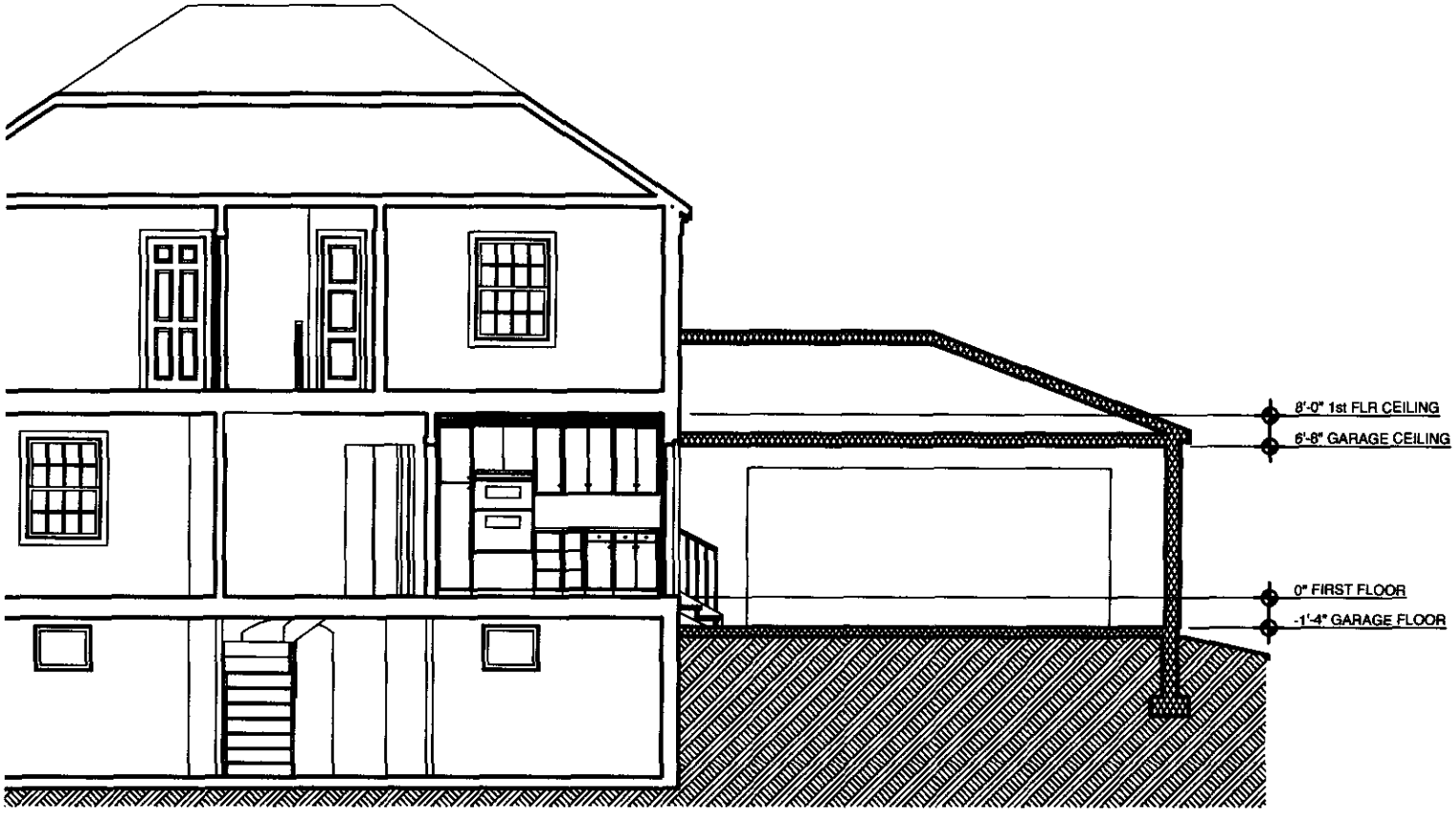

1 LONG SECTION
1/8" = 1'-0"

2 EAST (REAR) ELEVATION
1/8" = 1'-0"

RECEIVED
Department of Planning & Zoning
NOV 20 2009
Zoning Evaluation Division

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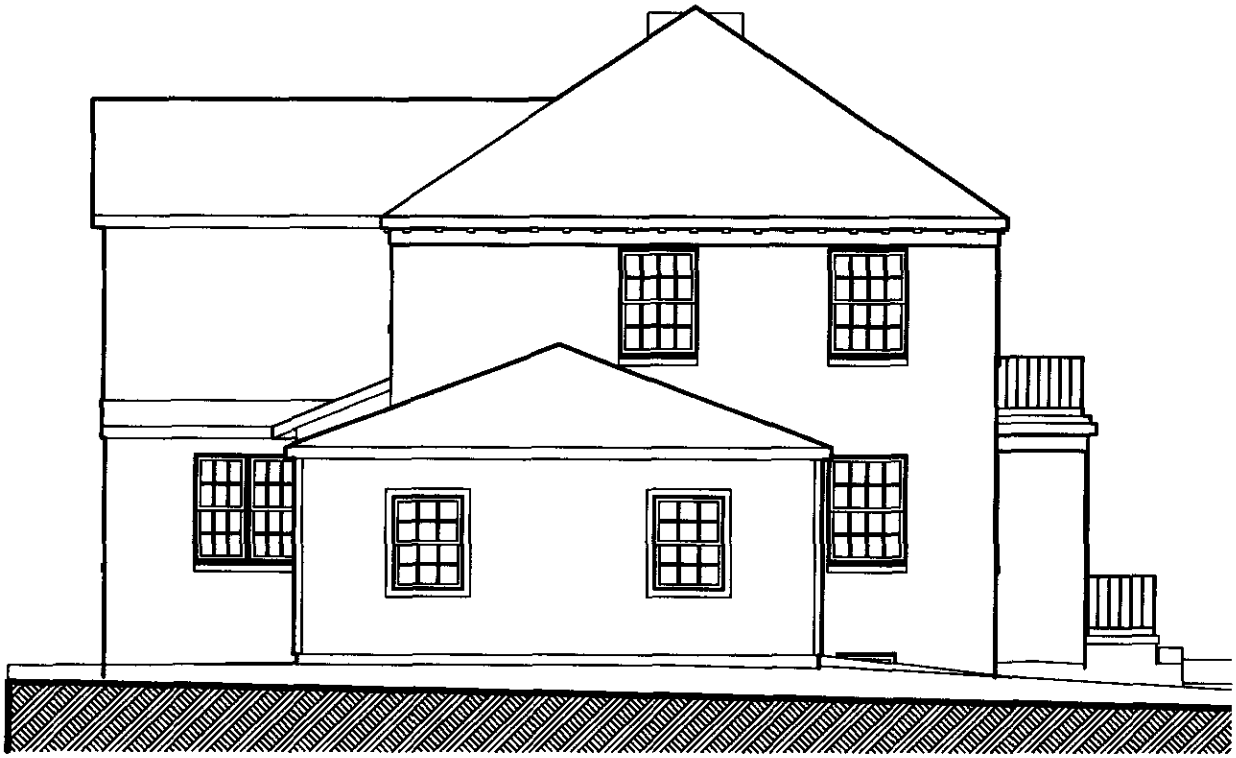
ARCHITECT
5308 NEVADA AVENUE, N.W.
WASHINGTON, D.C. 20015
202-333-6186
www.davidmaudlin.com

GARAGE ADDITION

A HOUSE ADDITION FOR
THE CORBIN FAMILY
1703 FOREST LANE
McLEAN, VIRGINIA

SP-02
0909
19 NOV 09

1 WEST (FRONT) ELEVATION
1/8" = 1'-0"



2 NORTH (SIDE) ELEVATION
1/8" = 1'-0"

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WASHINGTON, D.C. 20015
202-333-6186
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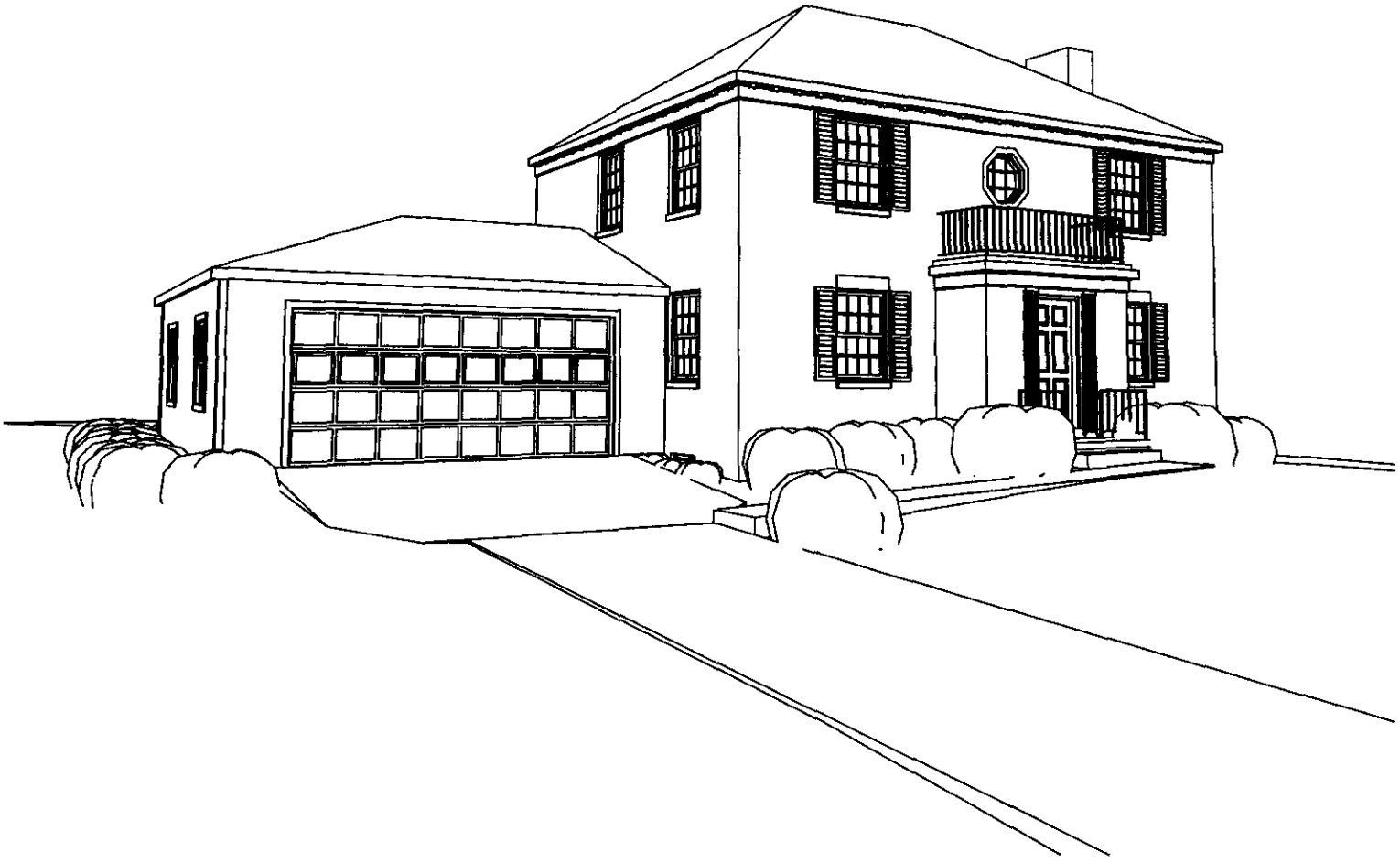
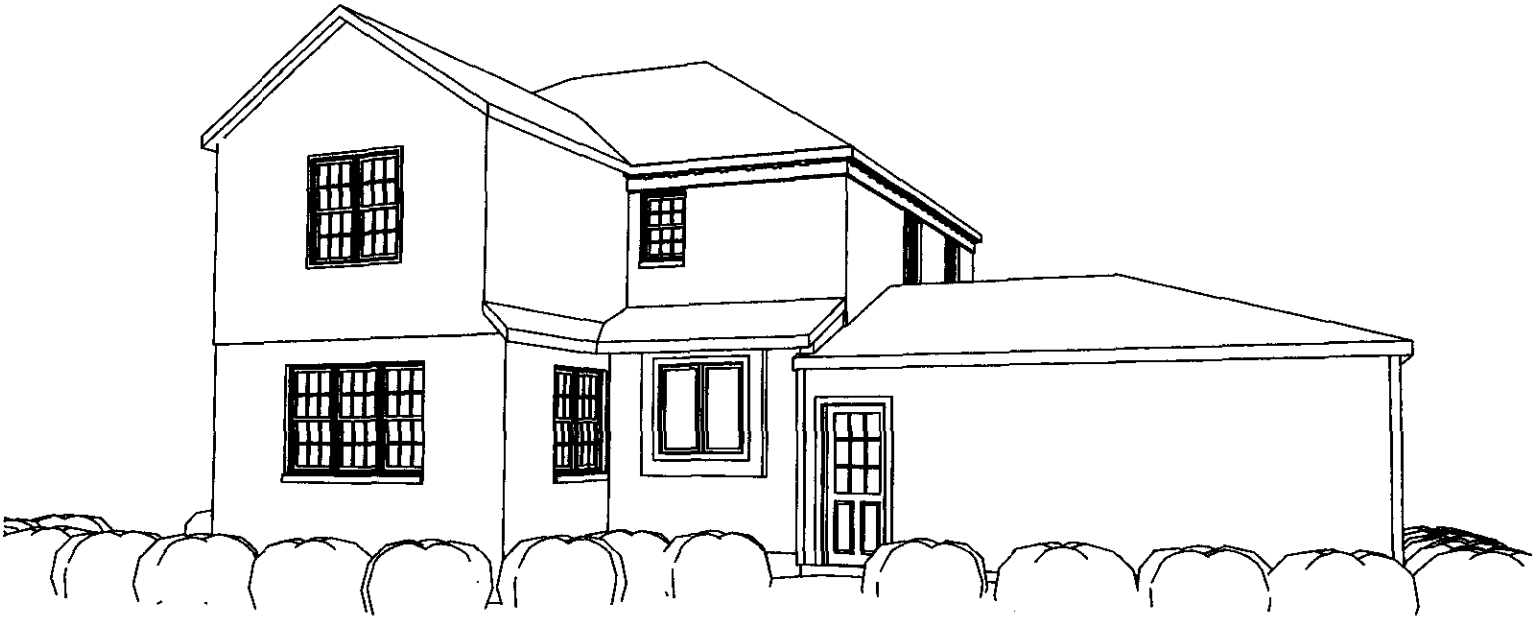
GARAGE ADDITION

A HOUSE ADDITION FOR
THE CORBIN FAMILY
1703 FOREST LANE
McLEAN, VIRGINIA

SP-03
0909
19 NOV 09





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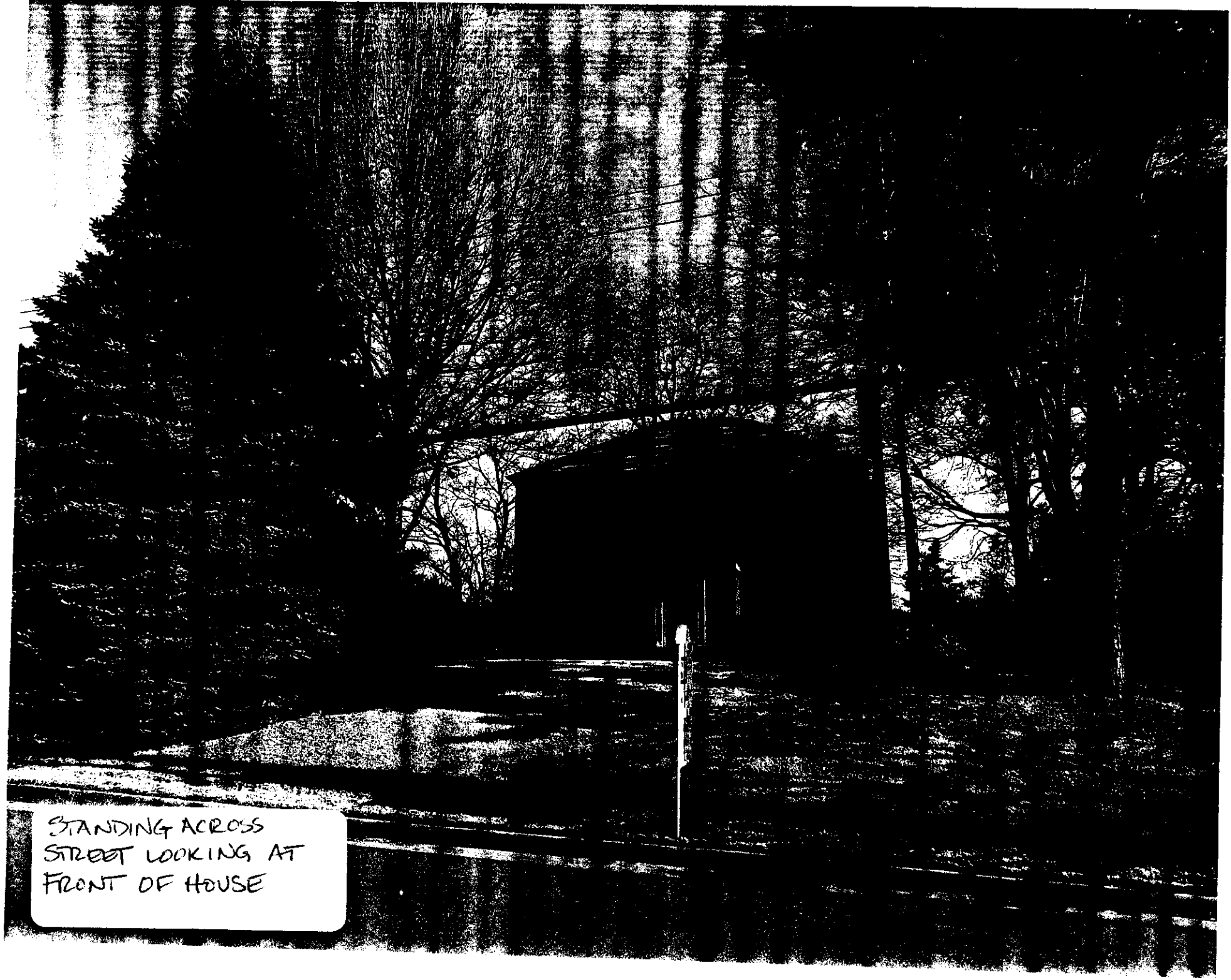
GARAGE ADDITION

A HOUSE ADDITION FOR
THE CORBIN FAMILY
1703 FOREST LANE
McLEAN, VIRGINIA

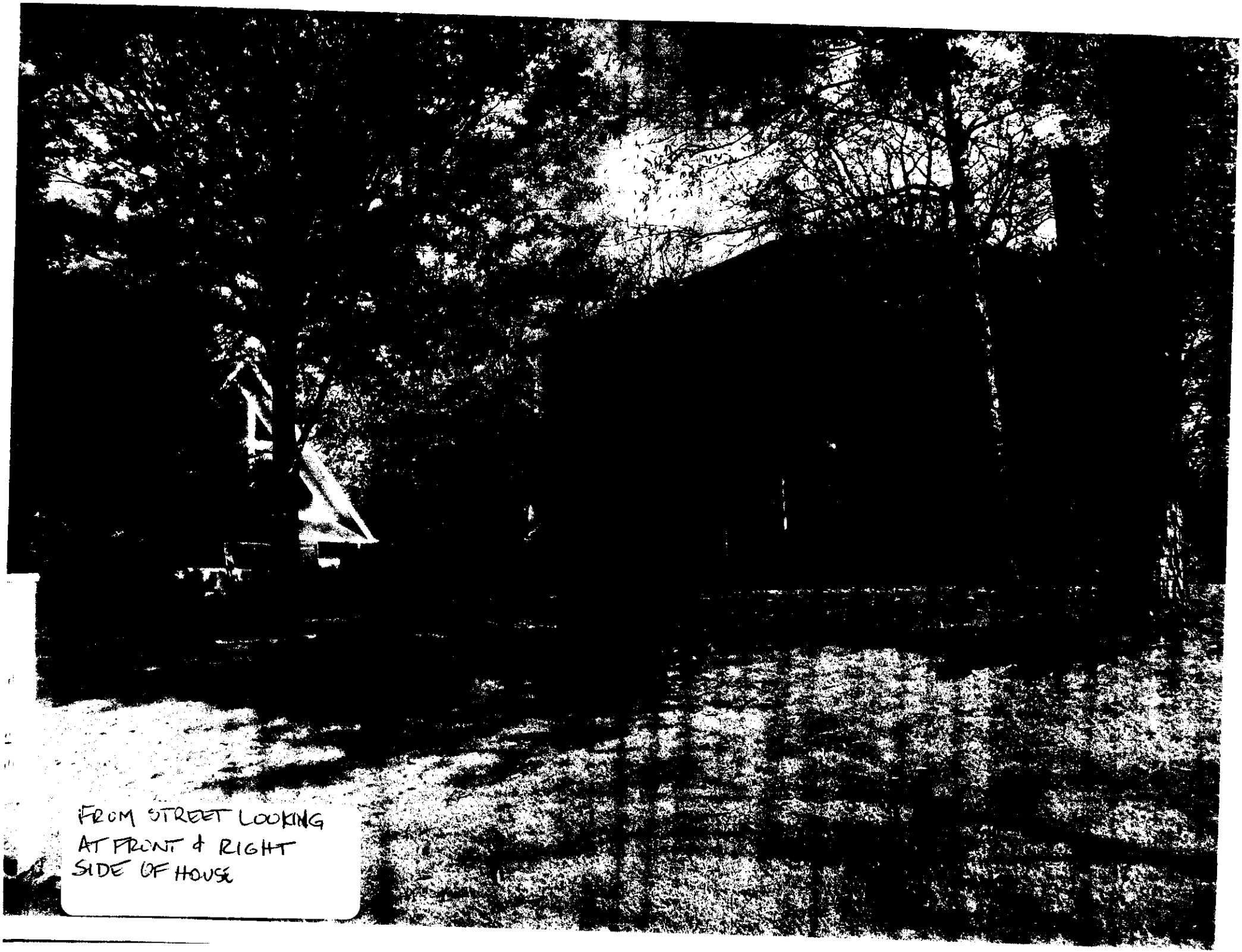
SP-04

0909

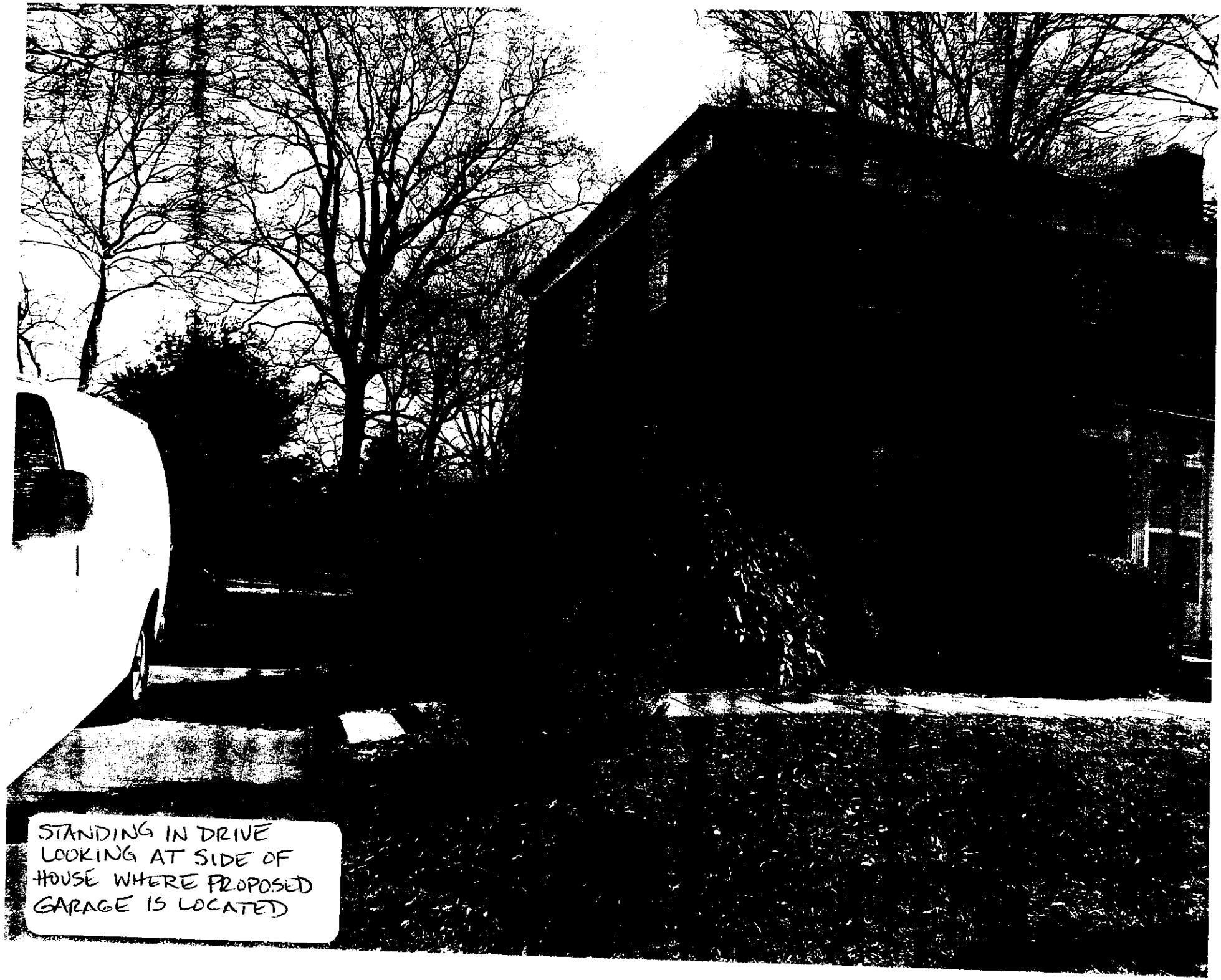
19 NOV 09

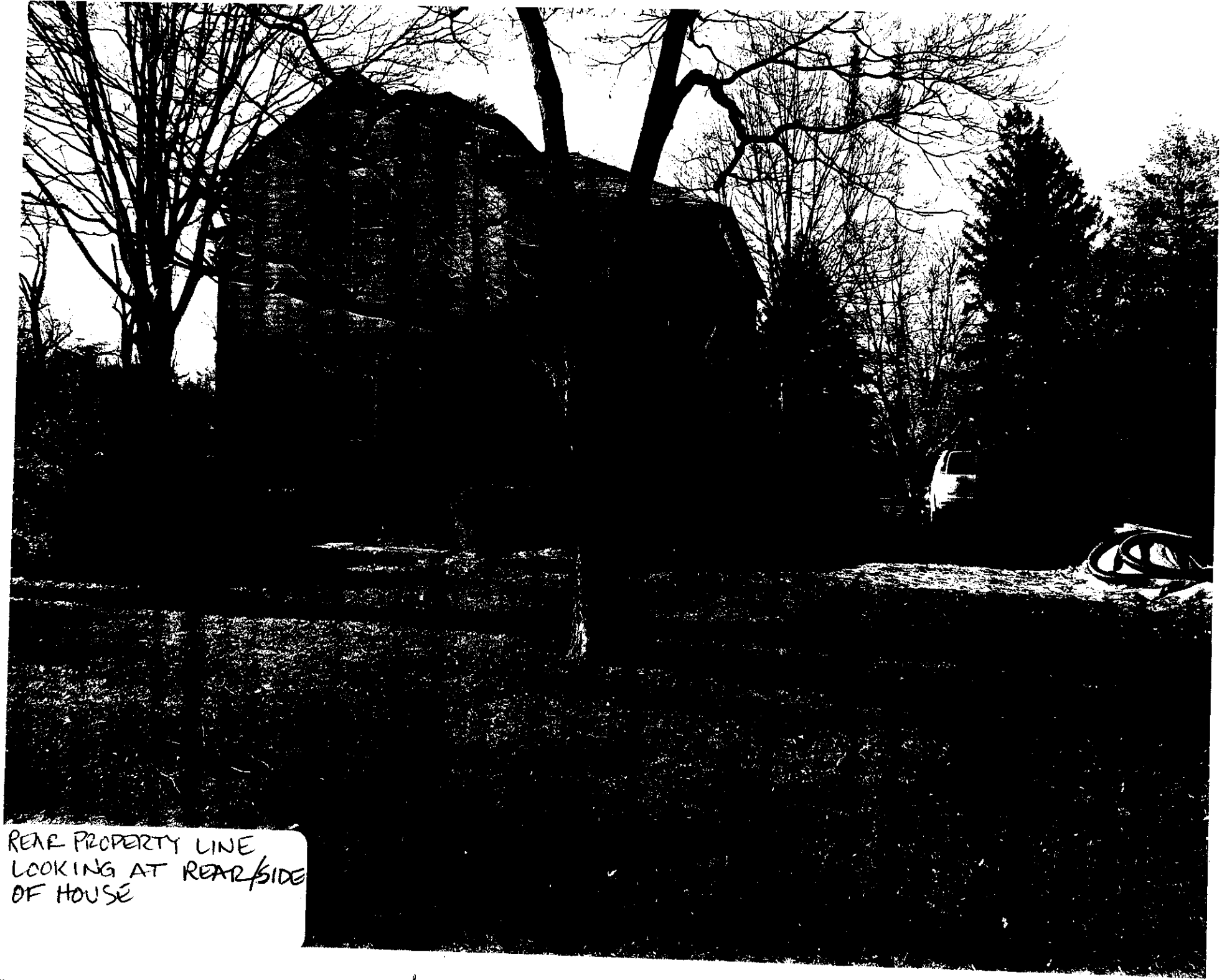


STANDING ACROSS
STREET LOOKING AT
FRONT OF HOUSE

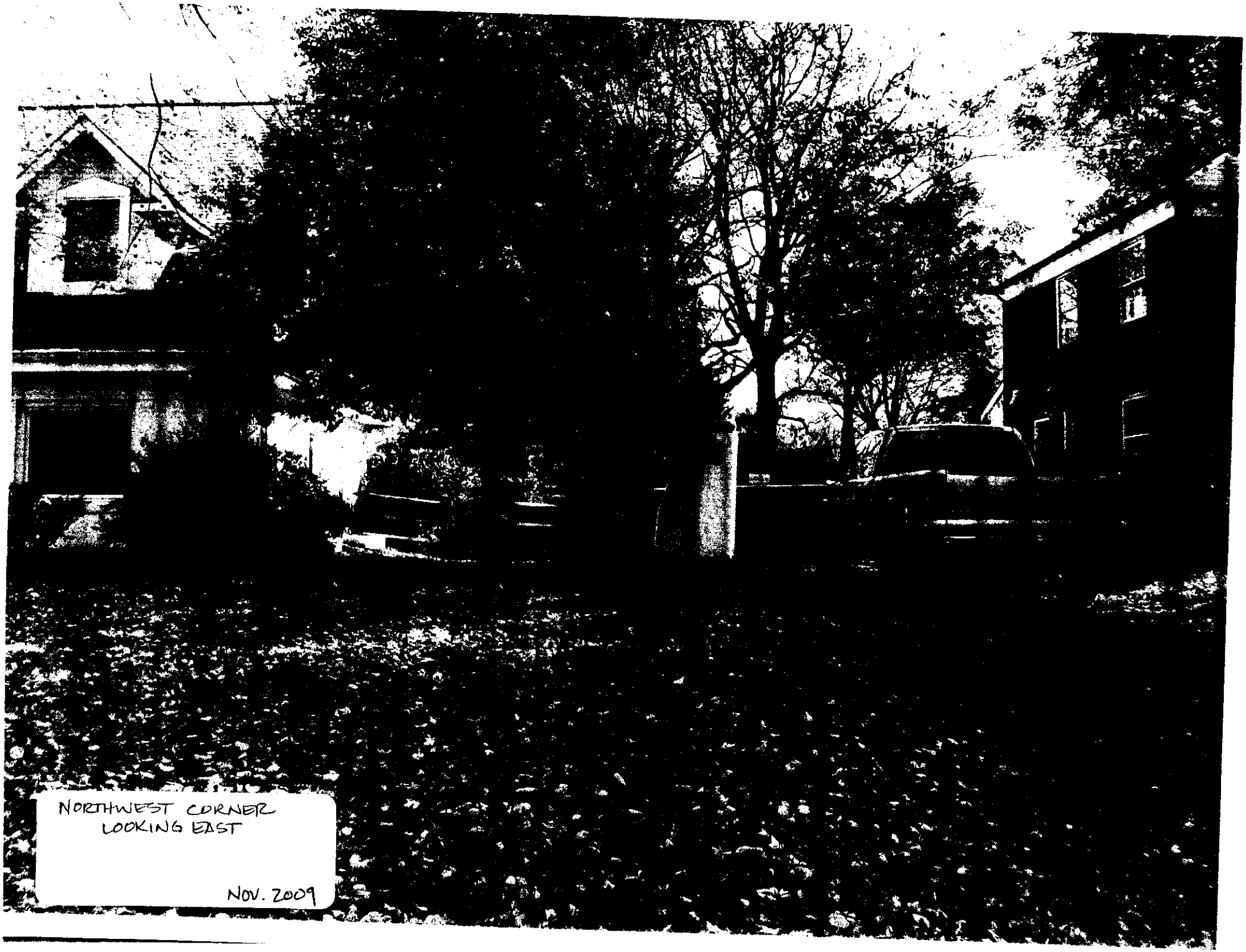


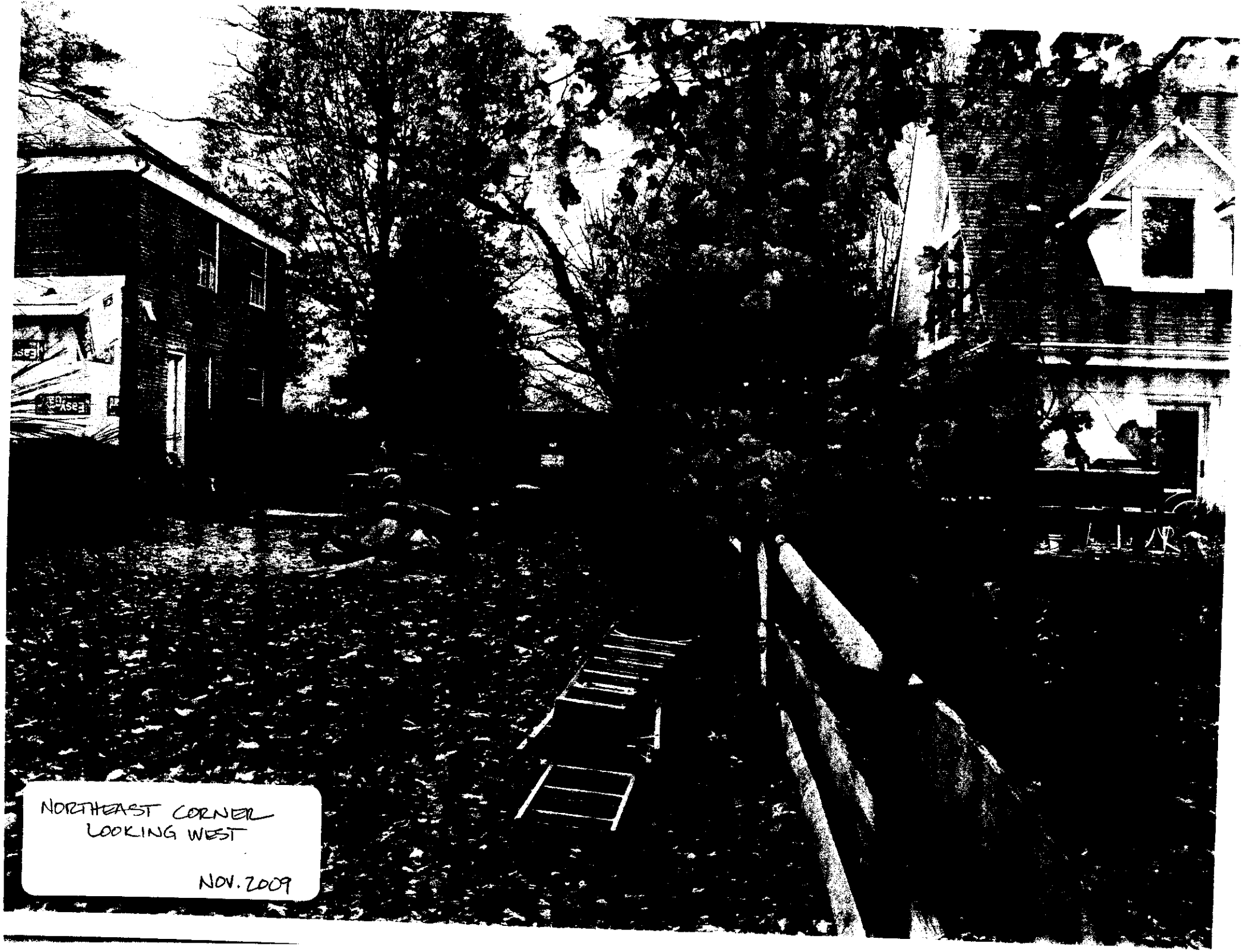
FROM STREET LOOKING
AT FRONT & RIGHT
SIDE OF HOUSE


STANDING IN DRIVE
LOOKING AT SIDE OF
HOUSE WHERE PROPOSED
GARAGE IS LOCATED



REAR PROPERTY LINE
LOOKING AT REAR/SIDE
OF HOUSE


NORTHWEST CORNER
LOOKING EAST
NOV. 2009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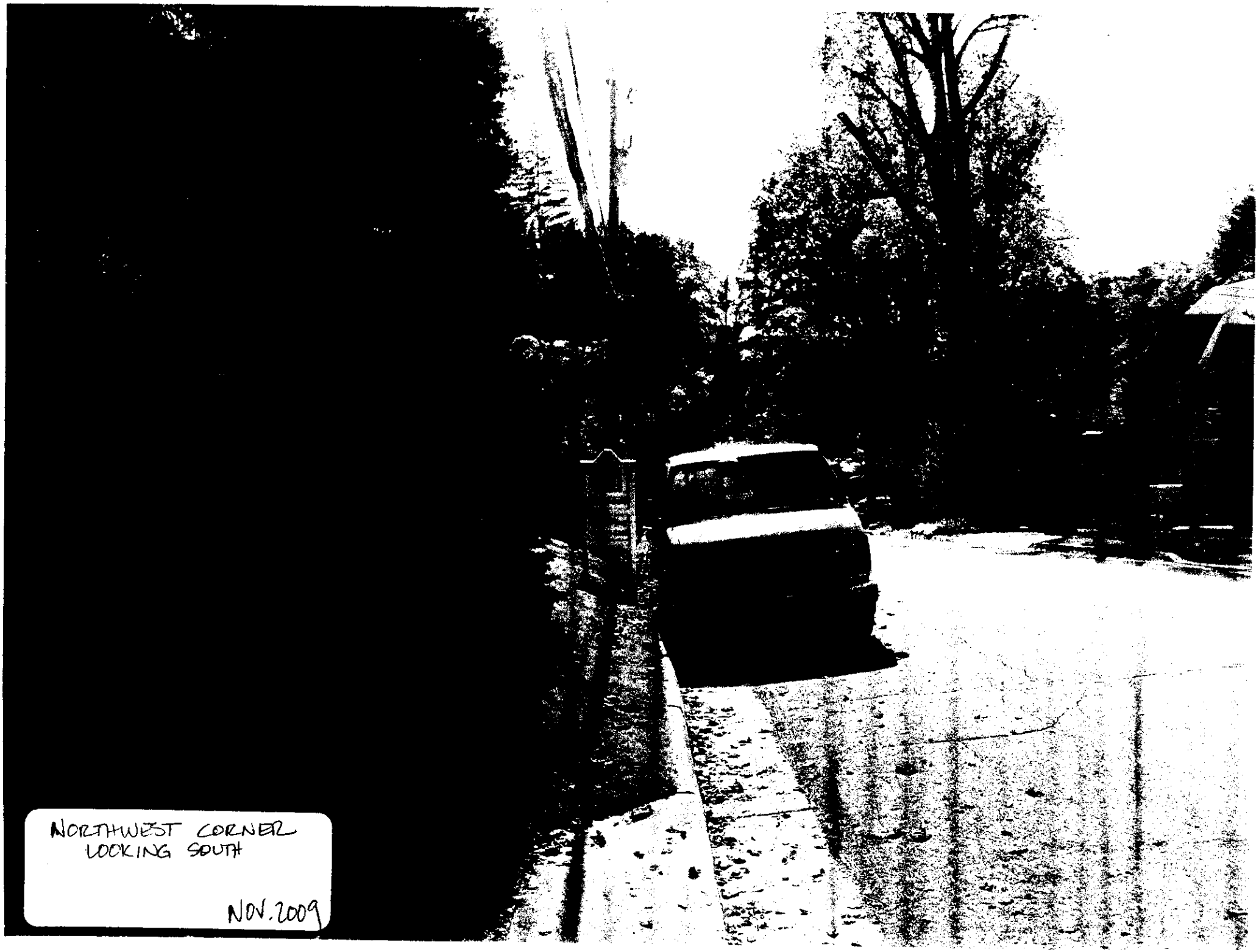
LOOKING WEST
NOV. 2009


NORTHWEST CORNER
LOOKING SOUTH
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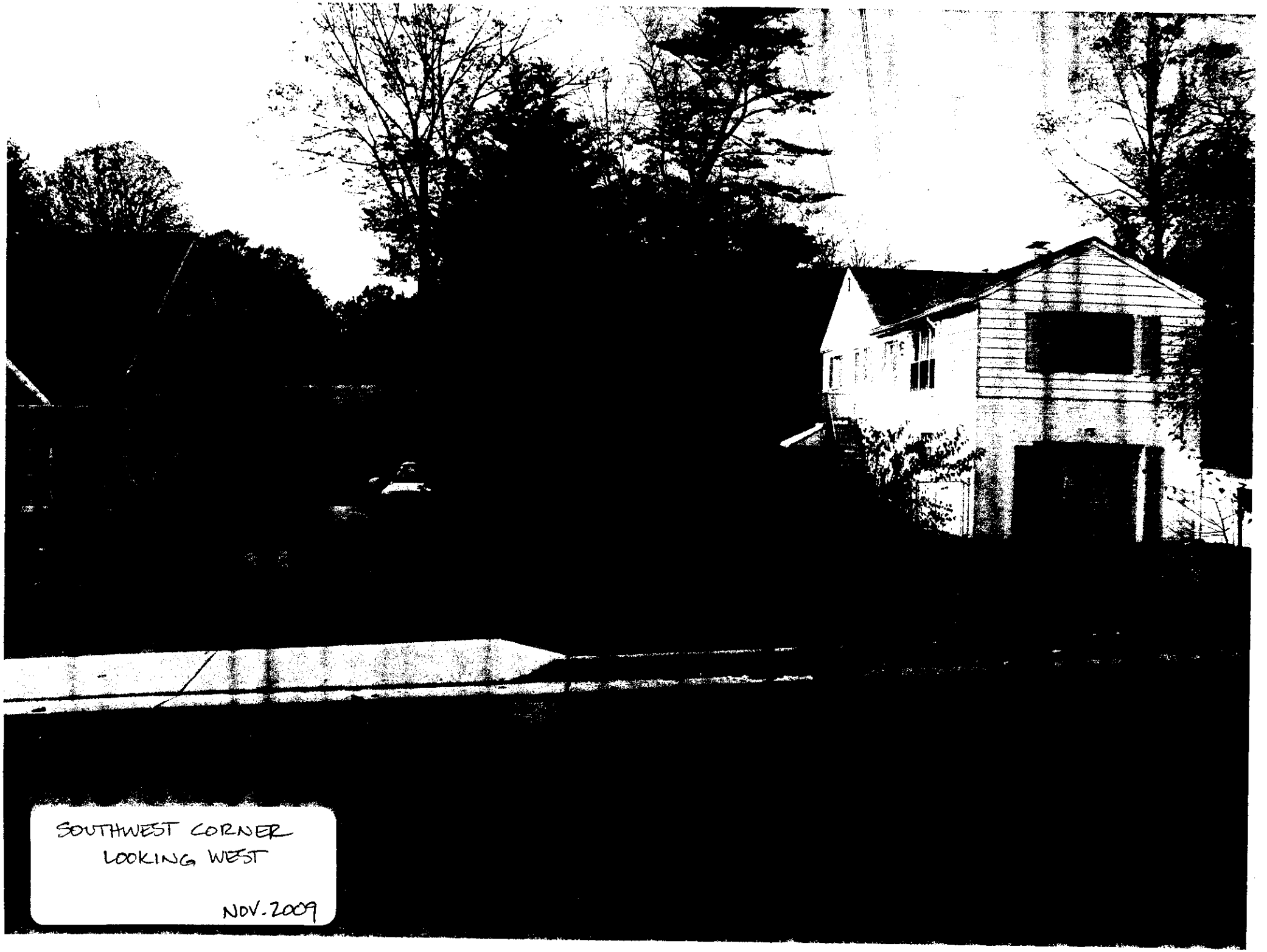
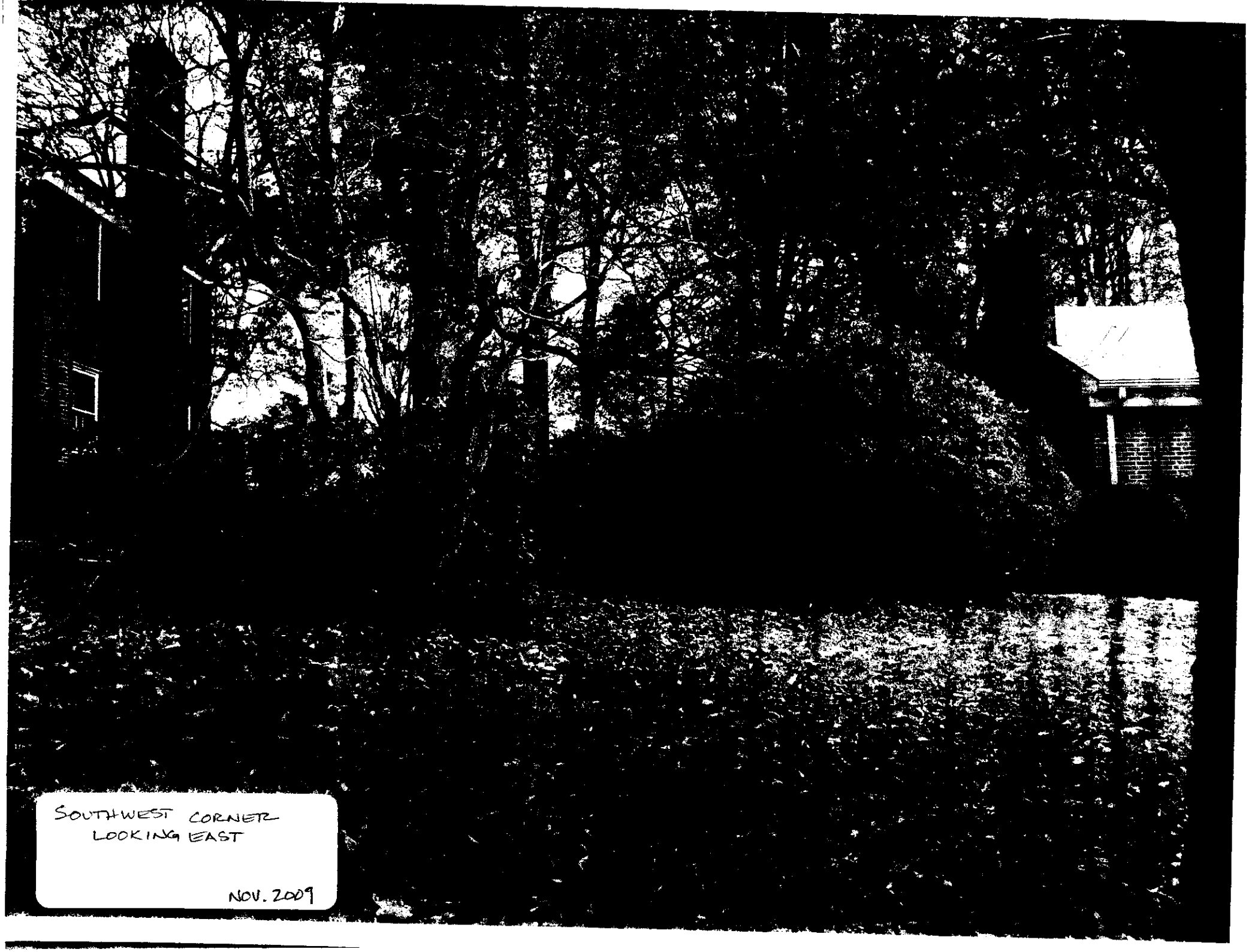
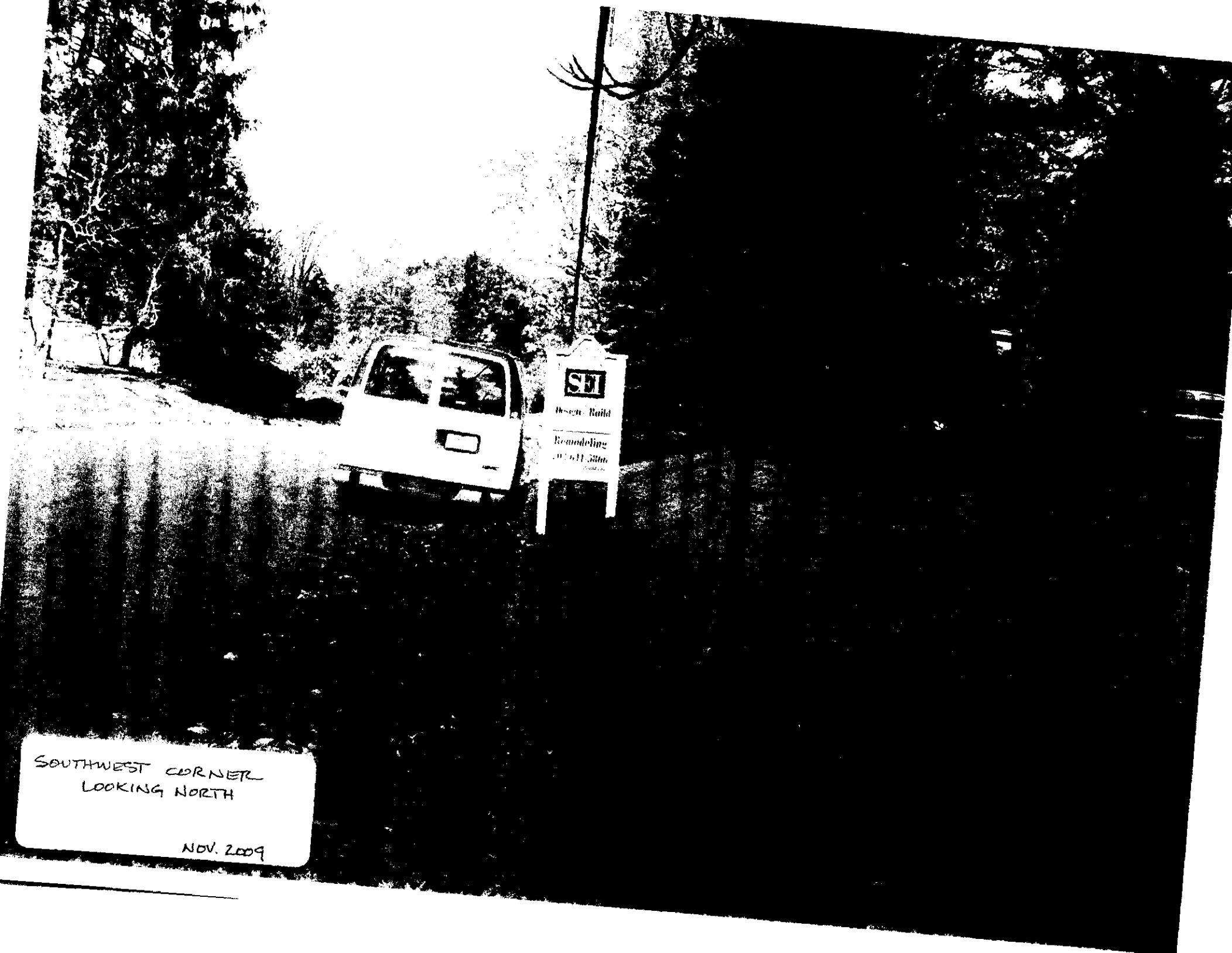

SOUTHWEST CORNER
LOOKING WEST
NOV. 2009


SOUTHWEST CORNER
LOOKING EAST
NOV. 2009

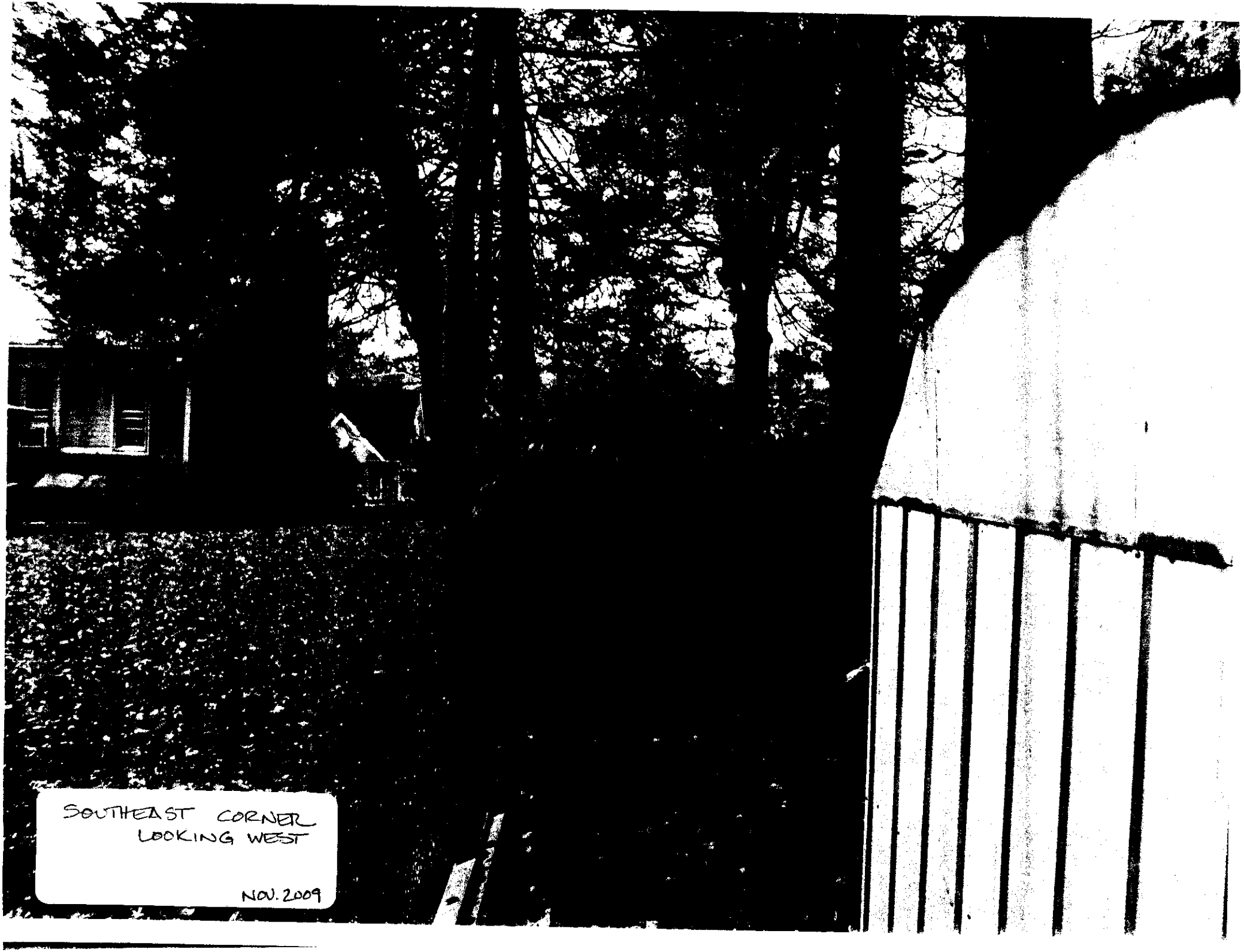
SOUTHWEST CORNER
LOOKING SOUTH

NOV. 2009

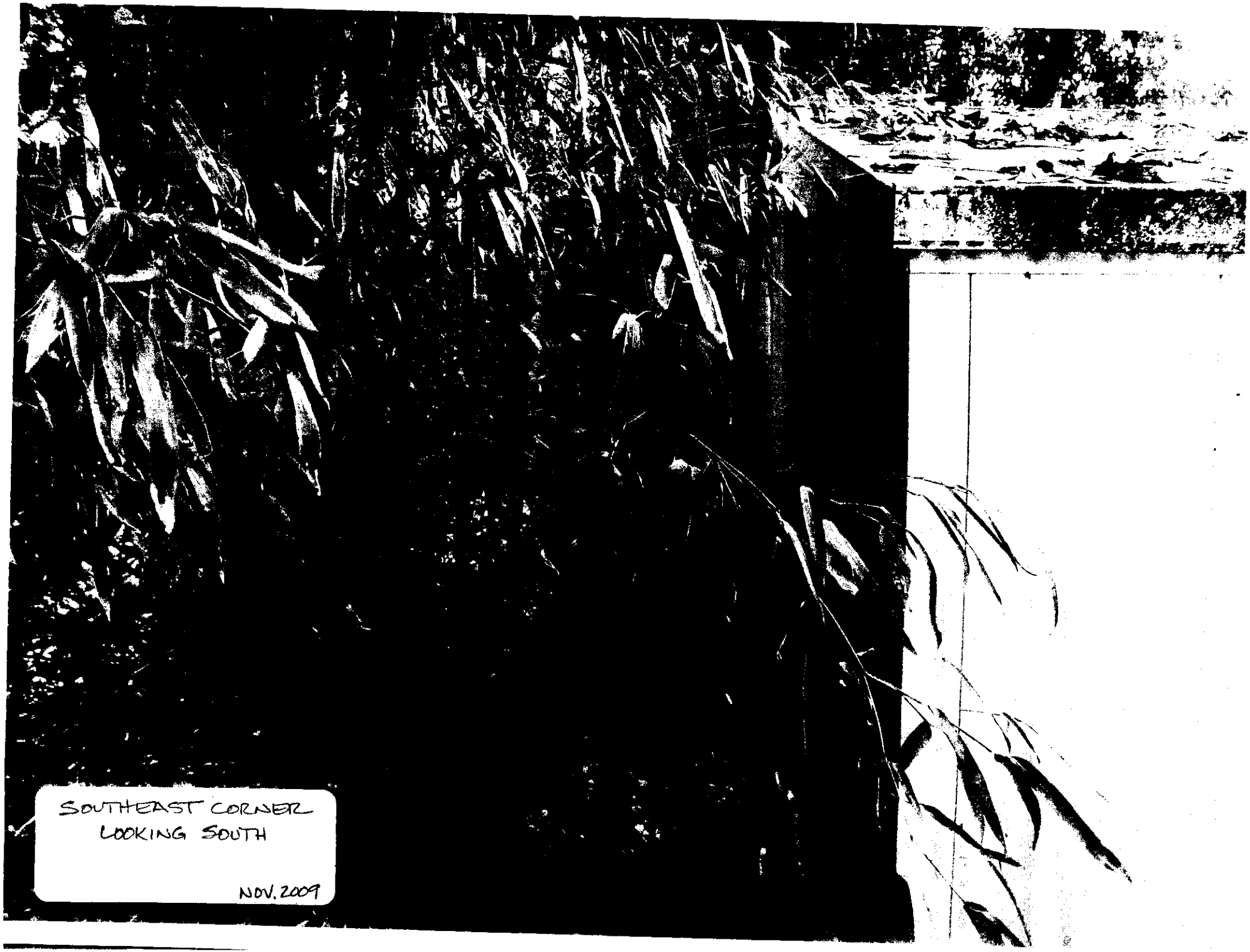


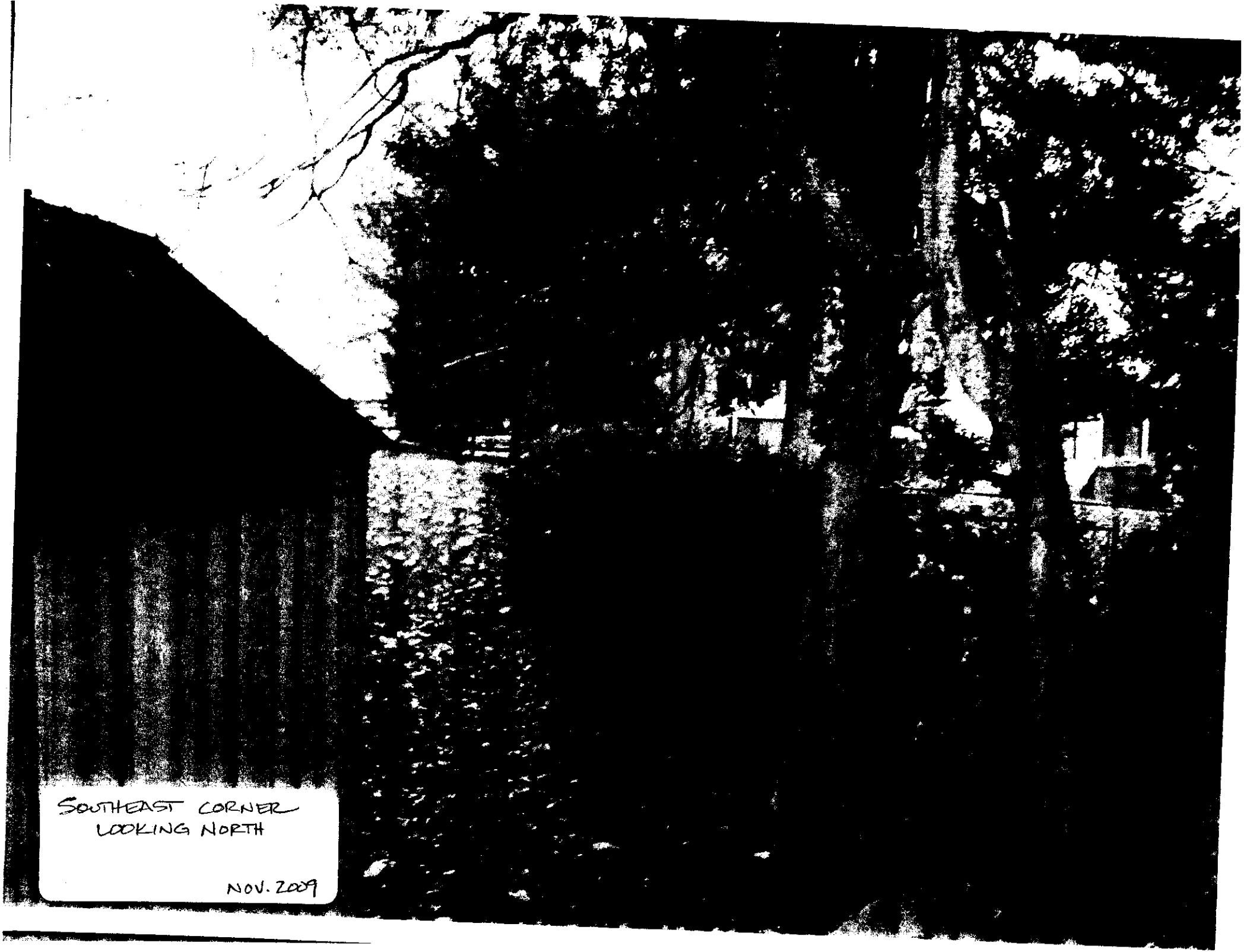
SOUTHWEST CORNER
LOOKING NORTH

NOV. 2009

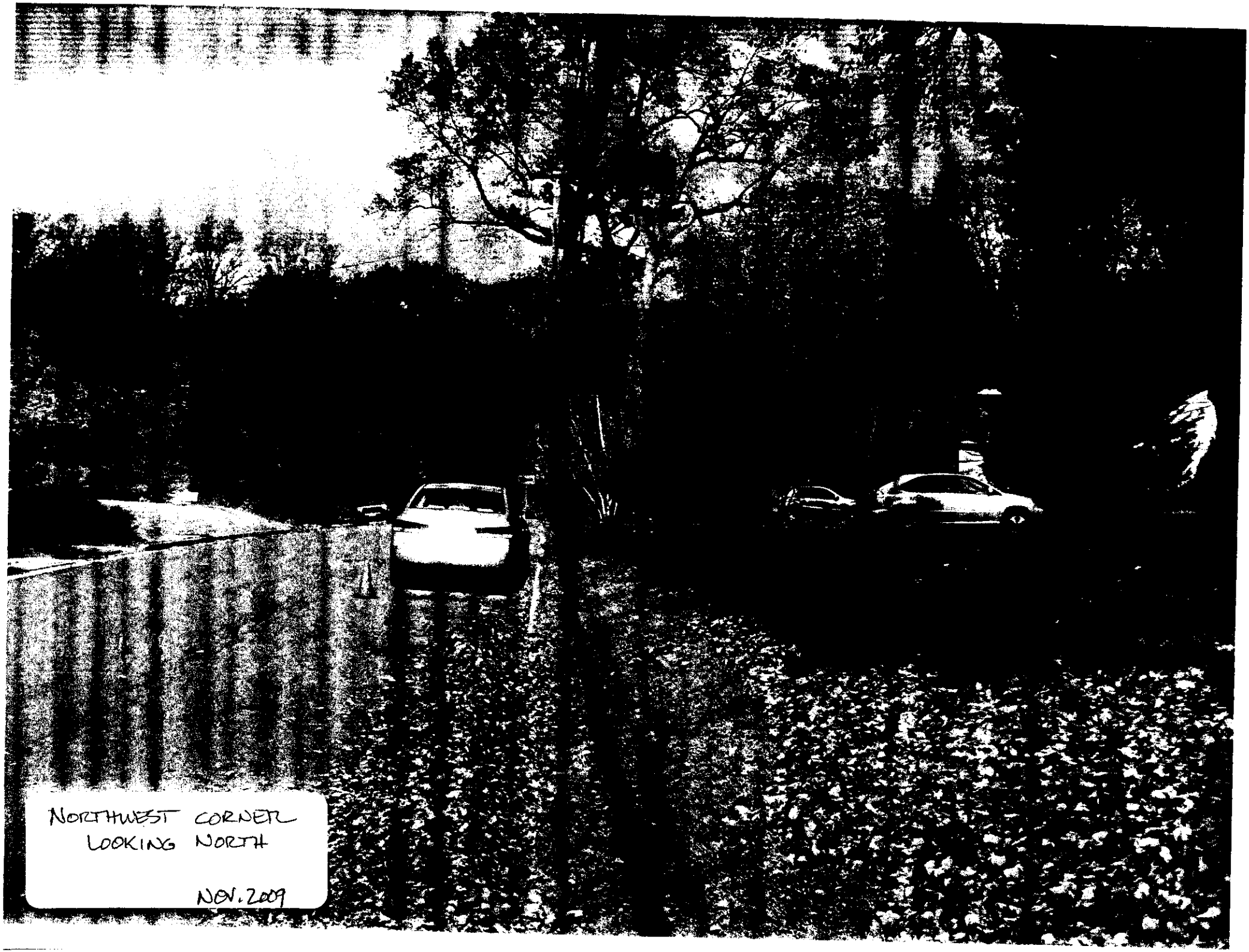

SOUTHEAST CORNER
LOOKING WEST
NOV. 2009

SOUTHEAST CORNER
LOOKING EAST
NOV. 2009


SOUTHEAST CORNER
LOOKING SOUTH
NOV. 2009


SOUTHEAST CORNER
LOOKING NORTH
NOV. 2009

NORTHWEST CORNER
LOOKING WEST
NOV. 2009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LOOKING NORTH
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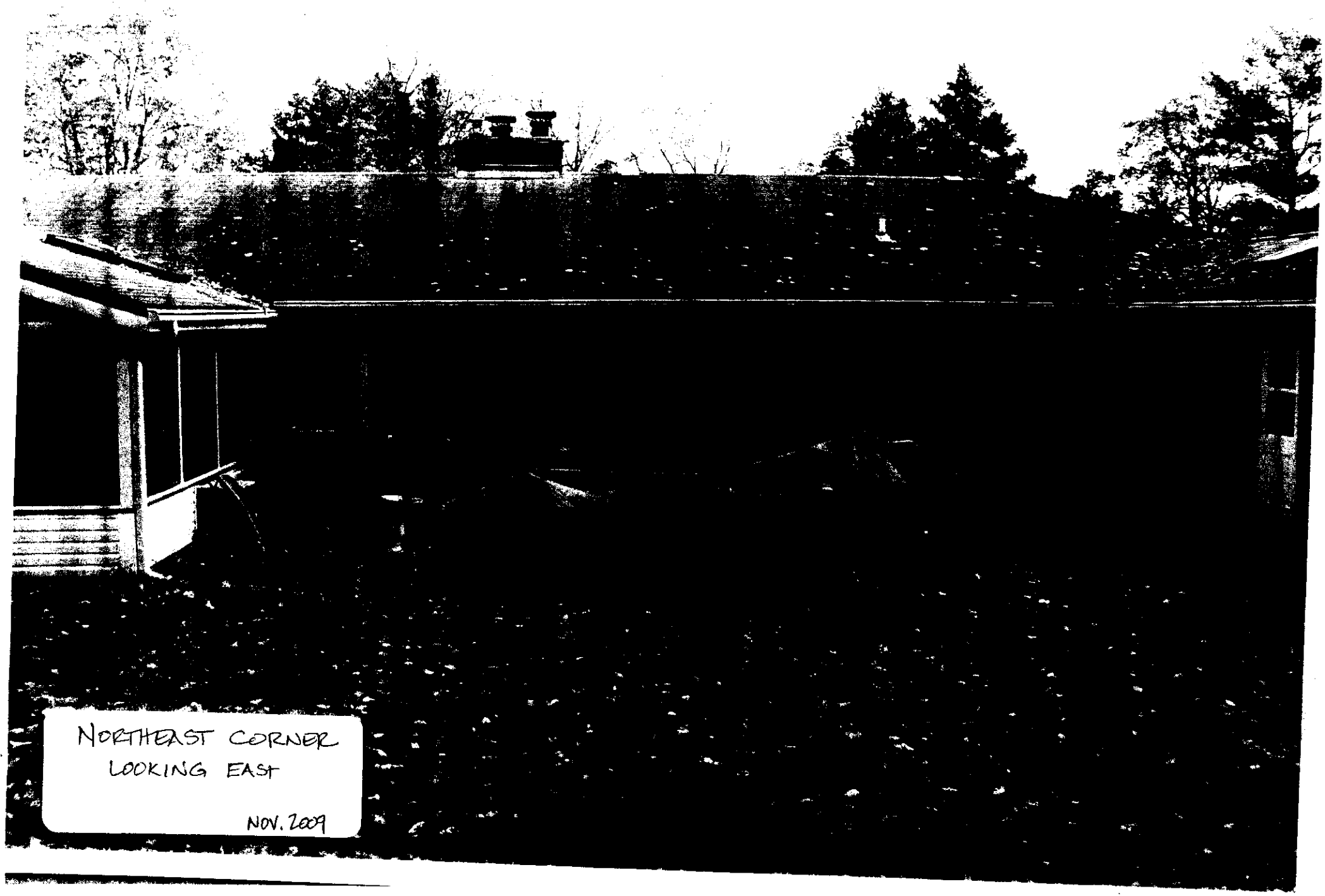
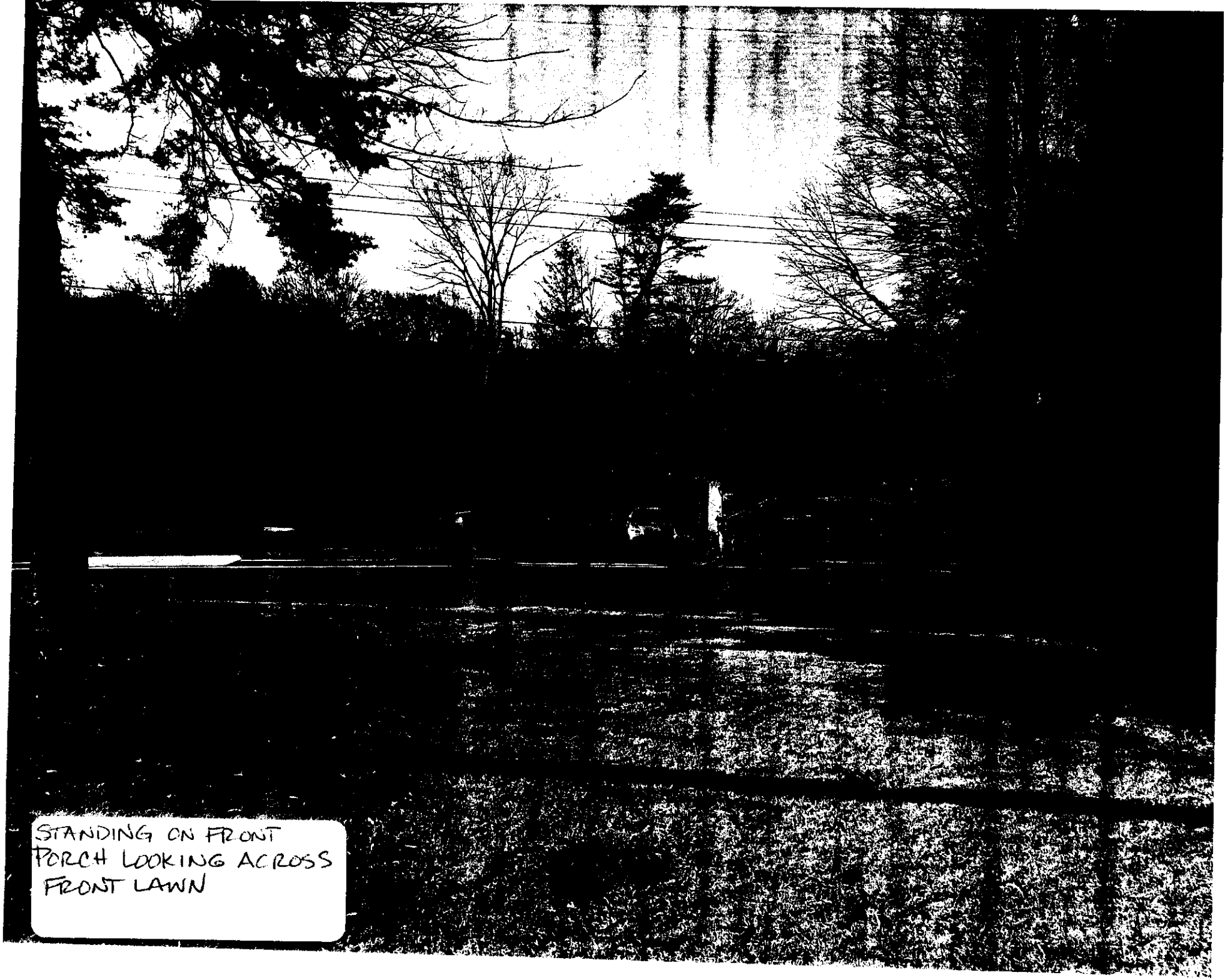
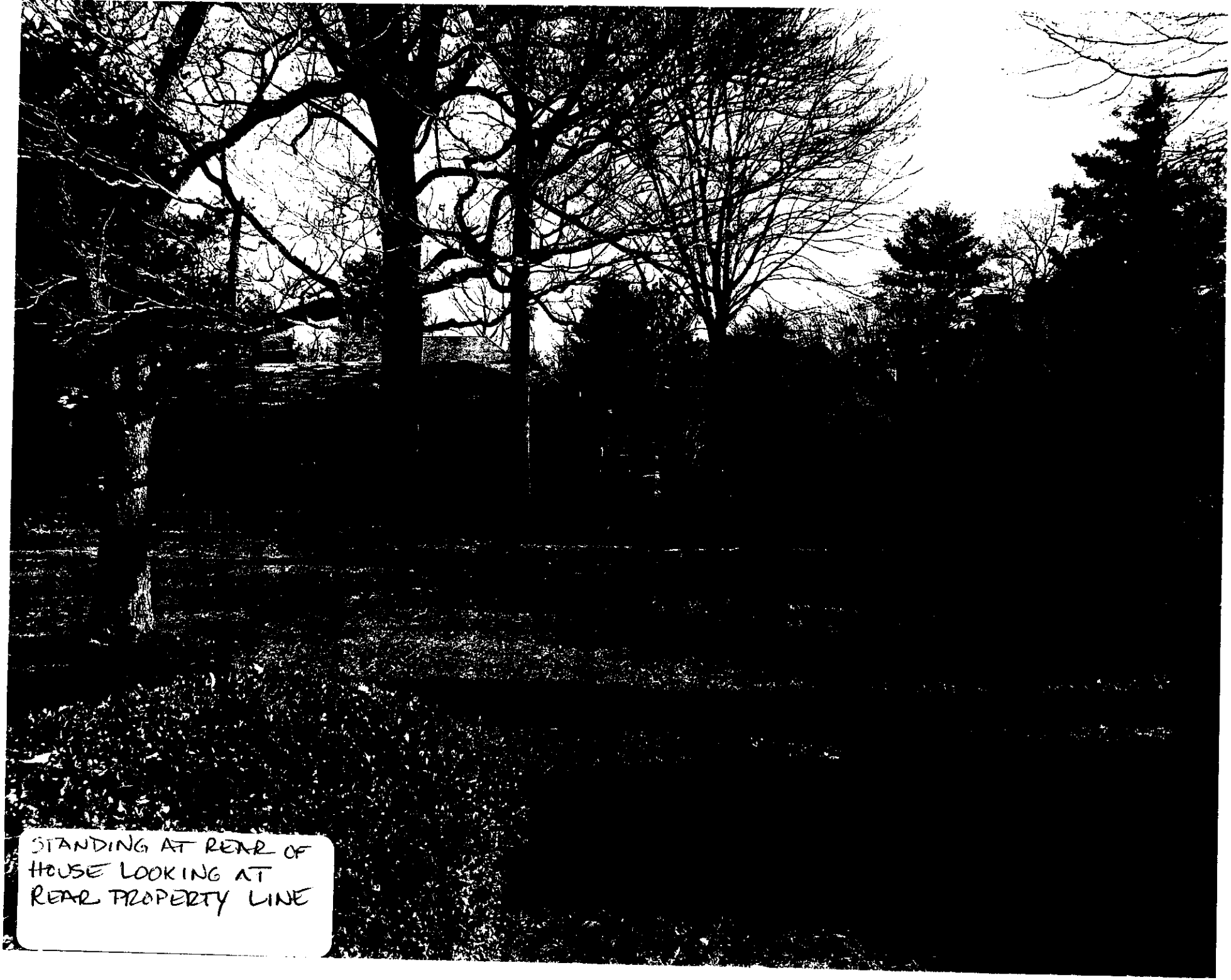

NORTHEAST CORNER
LOOKING EAST
NOV. 2009

NORTHEAST CORNER
LOOKING SOUTH
NOV. 2009

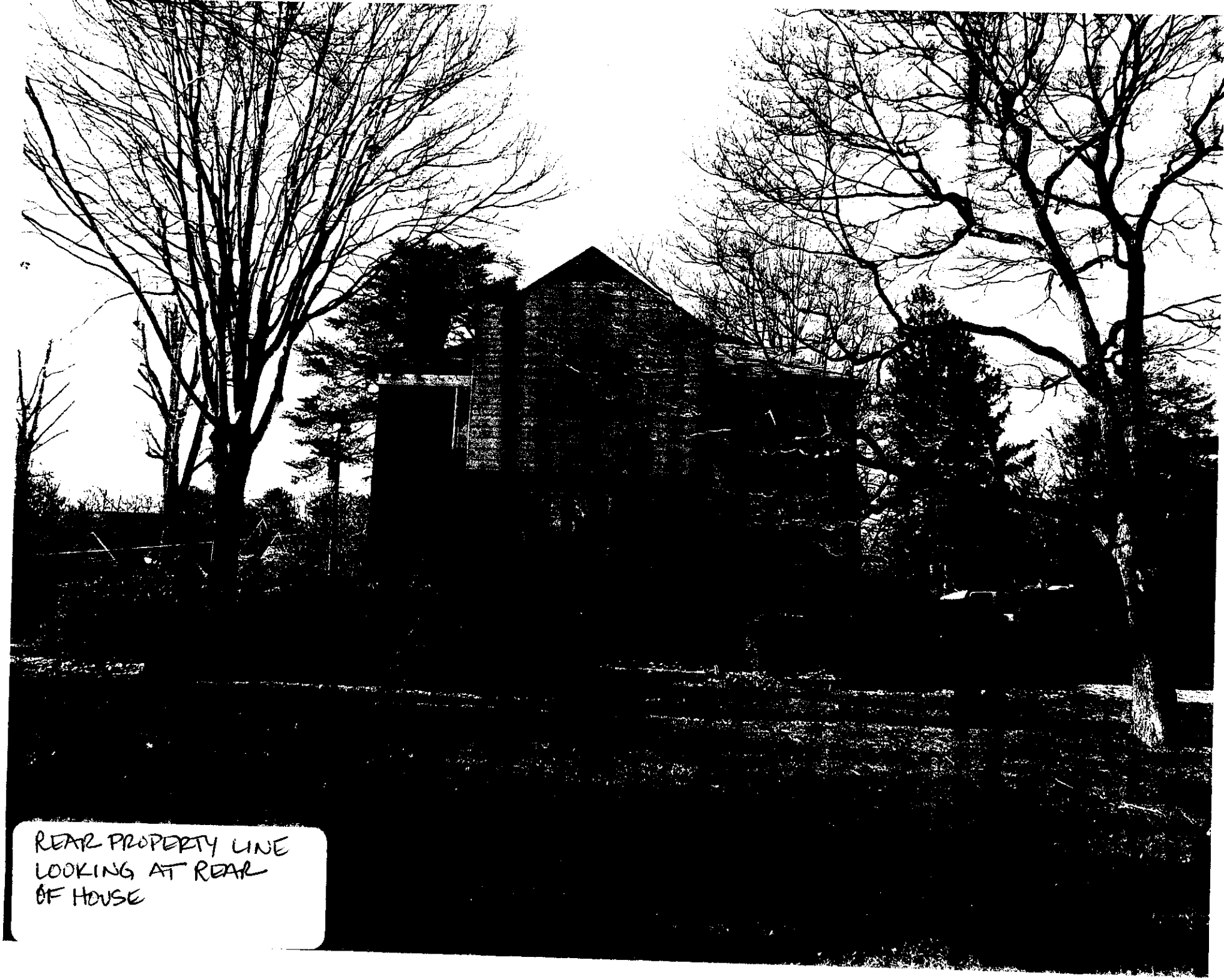
NORTHEAST CORNER
LOOKING NORTH
NOV 2009



STANDING ON FRONT PORCH LOOKING ACROSS FRONT LAWN



STANDING AT REAR OF HOUSE LOOKING AT REAR PROPERTY LINE



REAR PROPERTY LINE
LOOKING AT REAR
OF HOUSE

DESCRIPTION OF THE APPLICATION

The applicant seeks approval of a special permit for a reduction of certain yard requirements to permit construction of a one-story garage addition 8.8 feet from the northern side lot line.

	Structure	Yard	Min. Yard Required*	Proposed Location	Proposed Reduction	Percent of Reduction Requested
Special Permit	Addition	Side	15 feet	8.8 feet	6.2 feet	41 %

* Minimum yard requirement per Section 3-207

LOCATION AND CHARACTER

Existing Site Description

The site is currently zoned R-2 and is developed with a two story brick single family detached dwelling with basement which was built in 1951. A second floor addition to the rear of the house was built in 1967. There is an existing asphalt driveway, which is proposed to be modified to provide access to the garage. An existing aluminum shed is located in the southeast corner of the property. The lot contains 15,010 square feet and is level. The subject property is surrounded by single family detached homes on all sides.

Character of the Area

	Zoning	Use
North	R-2	Single-Family Detached Dwelling
South	R-2	Single Family Detached Dwelling
East	R-2	Single Family Detached Dwelling
West	R-2	Single-Family Detached Dwelling

BACKGROUND

The Board of Zoning Appeals (BZA) has heard the following applications in the neighborhood.

- Variance VC 97-D-098, approved on January 6, 1998, on Tax Map Number 31-4 ((9)) 1, on 1707 Forest Lane, zoned R-2, south of the subject property to allow construction of an addition 13.2 feet from the side lot line and a chimney 11.2 feet from a side lot line.

- Variance VC 85-D-147, approved on February 24, 1999, on Tax Map Number 31-4 ((9)) 2, on 1709 Forest Lane, zoned R-2, south of the subject property to allow construction of additions 12.1 feet, 13.2 feet, and 12.0 feet from a side lot line.

- Special Permit SP 2009-DR-008, approved on April 14, 2009, on Tax Map Number 31-4 ((9)) 2, on 1709 Forest Lane, zoned R-2, south of the subject property to allow construction of an addition 11.5 feet from a side lot line.

- Variance VC 98-D-148, approved on March 3, 1999, on Tax Map 31-4 ((9)) 3, on 1711 Forest Lane, zoned R-2, south of the subject property to allow construction of a second story addition 12.1 feet from the side lot line and a roofed deck 11.8 feet from a side lot line.

- Variance VC 99-D-069, approved on July 28, 1999, on Tax Map Number 31-4 ((9)) 25A, 1718 Forest Lane, zoned R-2, southwest of the subject property to allow construction of a deck 10.5 feet from a side lot line.

ANALYSIS OF SPECIAL PERMIT APPLICATION

- **Title of SP Plat:** Plat Showing the Improvements on Lot 13, Section Two, Chesterbrook Woods

- **Prepared By:** George M. O'Quinn, Dominion Surveyors, Inc., dated November 10, 2009, revised through February 12, 2010

Proposal

The applicant proposes to construct a one-story garage addition on the northern side of the existing home. The addition will be 485 square feet in size and 10 feet in height, which is lower than the existing dwelling at 23.2 feet. The addition will be constructed to match the existing brick on the dwelling. The existing driveway entrance from Forest Lane will not be changed; however, the portion of the driveway that is located within approximately twenty (20) feet of the garage will be expanded to provide vehicular access. A 24" tree is located

approximately twenty (20) feet east of the existing driveway and is proposed to be saved.

Land Use Analysis

The Comprehensive Plan recommends residential development at a density of 1-2 du/acre for this area. Staff believes the proposed uses and intensity are in harmony with the Comprehensive Plan recommendations for the area and there are no design or compatibility issues.

Urban Forestry Analysis (Appendix 4)

The memorandum from Urban Forest Management (UFM) notes that there is an 8-inch diameter dogwood tree along the northern property line, approximately six (6) feet north of the existing driveway and an off-site 12-inch diameter holly tree adjacent to the northern property line, approximately twelve (12) feet from the proposed garage. These on-site and off-site trees appear to be in fair to good condition and should be considered for preservation. UFM recommends that a tree save area be provided along the northern property boundary of the site to protect the trees from construction damage.

The applicant's agent has stated that the trees along the northern property boundary will be preserved and he is willing to provide a tree save area in that location. Staff has proposed a development condition to that effect.

ZONING ORDINANCE REQUIREMENTS (See Appendix 5)

- General Special Permit Standards (Sect. 8-006)
- Group 9 Standards (Sect. 8-903)
- Provisions for Reduction of Certain Yard Requirements (Sect. 8-922)

Sect. 8-006 General Special Permit Standards

Staff believes that the application meets all of the 8 General Special Permit Standards with notes regarding standard 3.

General Standard 3 requires that the proposed uses be harmonious with and not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. *Staff believes that the special permit application satisfies this condition based the fact that the subject property is adequately screened by a wooden fence and existing vegetation along the northern property line. Based on pictures submitted by the applicant, there are many other homes in the neighborhood that not only have two car garages but vary greatly in style.*

Therefore, staff believes that the proposed garage will not have any adverse impact on neighboring properties.

Sect. 8-922 Provisions for Reduction of Certain Yard Requirements

This special permit application must satisfy all of the provisions contained in Sect. 8-922, Provisions for Reduction of Certain Yard Requirements. Standards 1, 2, 3, 11 and 12 relate to submission requirements and were satisfied at the time of submission. Standard 5 relates to accessory structures, which does not apply to this application and Standard 10 allows the BZA to impose development conditions. Staff believes that the application has met all the remaining standards, specifically Standards 4, 6, 7, 8, and 9.

Standard 4 states that the resulting gross floor area of an addition to an existing principal structure may be up to 150 percent of the total gross floor area of the principal structure that existed at the time of the first yard reduction request. In such instance, if a portion of the principal structure is to be removed; no more than fifty (50) percent of the gross floor area of the existing principal structure at the time of the first yard reduction shall be removed. *The existing structure is 3,244 square feet in size. Therefore 150% of the total gross floor area could result in an addition up to 4,866 square feet; which makes a combined total of 8,110 square feet. The proposed addition will be 485 square feet for a total of 3,729 square feet for the existing house and garage addition. Therefore the application meets this provision.*

Standard 6 states that the BZA shall determine that the proposed development will be in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structure(s) on the lot. *The existing dwelling is 23.2 feet in height and the proposed addition will be 10 feet in height. The dwelling is currently 3,244 square feet and the proposed one-story addition will only be 485 square feet. Based on the architectural renderings, the proposed addition will be constructed with materials and an appearance matching the existing dwelling. Staff believes the proposed addition will not be out of character with existing on-site development.*

Standard 7 states that the BZA shall determine that the proposed development is harmonious with the surrounding off-site uses and structures in terms of location, height, bulk and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the director. *The proposed addition will not adversely affect the neighboring properties due to the fact that there is an existing asphalt drive where the proposed garage will be constructed and that the side which the construction will take place is screened by existing vegetation and a fence. The fact that the proposed garage will have a height of only ten (10) feet will minimize the amount of bulk that will be added to the residence. The garage, as shown, will be in scale with the existing dwelling. In addition, the garage will be constructed of the same brick as the existing dwelling. Existing trees will not be removed for construction of the garage addition.*

Standard 8 states that the BZA shall determine that the proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion, and stormwater runoff. *No downstream complaints have been indicated by DPWES and there is relatively small increase of impervious area due to the proposed addition being constructed over an existing driveway. A large tree located near the existing driveway will be retained. Therefore, staff believes that the proposed addition shall not have any adverse impact on neighboring properties.*

Standard 9 states that the BZA shall determine that the proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. Specific factors to be considered include, but are not limited to, the layout of the existing structure; availability of alternate locations for the addition; orientation of the structure(s) on the lot; shape of the lot and the associated yard designations on the lot; environmental characteristics of the site, including presence of steep slopes, floodplains and/or Resource Protection areas; preservation of existing vegetation and significant trees as determined by the Director; location of a well and/or septic field; location of easements; and/or preservation of historic resources. *The existing dwelling is generally centered on the property; thus, the garage addition could not have been constructed on the southern side of the house without the need of a special permit for a yard reduction. Further, the existing asphalt driveway currently exists on the northern side where the proposed garage will be. There are no Resource Protection areas on the subject property and the topography suggests no change in grade.*

CONCLUSION

Staff believes that the subject application for the addition is in conformance with the applicable Zoning Ordinance provisions with the implementation of the Proposed Development Conditions contained in Appendix 1 of the staff report.

RECOMMENDATION

Staff recommends approval of special permit application SP 2010-DR-002 for the addition subject to the proposed development conditions contained in Appendix 1 of the staff report.

If it is the intent of the BZA to approve this application, Staff recommends the BZA condition its approval by requiring conformance with the conditions set forth in Appendix 1 of this report, Proposed Development Conditions.

The approval of this special permit does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

APPENDICES

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Urban Forestry Analysis
5. Zoning Ordinance Provisions

APPENDIX 1

PROPOSED DEVELOPMENT CONDITIONS

SP 2010-DR-002

March 17, 2010

If it is the intent of the Board of Zoning Appeals to approve SP 2010-DR-002 located at Tax Map Number 31-4 ((5)) 13 (1703 Forest Lane), to permit a reduction of certain yard requirements pursuant to 8-922 of the Fairfax County Zoning Ordinance, staff recommends the Board condition the approval by requiring conformance with the following development conditions.

1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recordation shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.

2. This special permit is approved for the location and size of the proposed addition as shown on the plat prepared by George M. O'Quinn, Dominion surveyors, Inc., dated November 10, 2009, revised through February 12, 2010, submitted with this application and is not transferable to other land.

3. Pursuant to Provision 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of the existing principal structures may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (3,244 square feet existing + 4,866 (150%) = 8,110 permitted) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction, special permit or variance. Notwithstanding the definition of gross floor area as set forth in the Ordinance, the gross floor area of a single family dwelling for the purpose of this paragraph shall be deemed to include the floor area of any attached garage. Subsequent additions that meet minimum yard requirements shall be permitted without an amendment to this special permit.

4. The garage addition shall be consistent with the architectural renderings contained in Sheets SP-02, SP-03, and SP-04, entitled Garage Addition prepared by David Maudlin, Architect, dated November 19, 2009, and shall be constructed of brick.

5. The applicant shall designate the area along the northern portion of the lot as a tree save area and shall install tree protection fencing prior to commencement of the construction process to protect the 8-inch diameter dogwood tree and the off-site 12-inch diameter holly from construction activities. The applicant shall also designate the area around the 24-inch tree located east of the driveway as a tree save area and shall install tree protection fencing prior to commencement of the construction process. The protective fencing shall remain intact during the entire construction process, and shall be the maximum limit for clearing and grading.

   The applicant shall monitor the site to ensure that inappropriate activities such as the storage of construction equipment do not occur within the area.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless construction has commenced and been diligently prosecuted. The Board of Zoning Appeals may grant additional time to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 11/06/09
(enter date affidavit is notarized)

I, STEPHEN F. PERLIK, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) [ ] applicant
[✓] applicant's authorized agent listed in Par. 1(a) below 106786

and that, to the best of my knowledge and belief, the following is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS,** and **LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS,** and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(**NOTE**: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	**ADDRESS** (enter number, street, city, state, and zip code)	**RELATIONSHIP(S)** (enter applicable relationships listed in **BOLD** above)
DOUGLAS R. CORBIN	1703 FOREST LANE MCLEAN, VA 22101	TITLE OWNER/APPLICANT
SUSAN B. CORBIN	1703 FOREST LANE MCLEAN, VA 22101	TITLE OWNER/APPLICANT
STEPHEN F. PERLIK	SEI DESIGN BUILD, INC 260 CEDAR LANE, SE, #A1 VIENNA, VA 22180	AGENT

(check if applicable) [ ] There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 11/16/09 106786
(enter date affidavit is notarized)

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES,** and **REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

SET DESIGN BUILD, INC.
260 CEDAR LANE, S.E. #A1
VIENNA, VA 22180

DESCRIPTION OF CORPORATION: (check one statement)

[✓] There are 10 or less shareholders, and all of the shareholders are listed below.
[ ] There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
[ ] There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

PATRICIA A. OEHMKE
STEPHEN F. PERLIK

(check if applicable) [ ] There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. ***In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.*** Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 11/16/09 106786
(enter date affidavit is notarized)

1(c). The following constitutes a listing*** of all of the **PARTNERS,** both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state, and zip code)

(check if applicable) [ ] The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner)**

N/A

(check if applicable) [ ] There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. ***In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.*** Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 11/16/09 106786
(enter date affidavit is notarized)

1(d). One of the following boxes **must** be checked:

[ ] In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER,** or **LESSEE*** of the land:

[√] Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER,** or **LESSEE*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (**NOTE**: If answer is none, enter "**NONE**" on the line below.)

NONE

(check if applicable) [ ] There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 11/16/09 (enter date affidavit is notarized)

106786

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than $100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "**NONE**" on line below.)

NONE

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [ ] There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. **That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.**

WITNESS the following signature: Stephen F. Perlik

(check one) [ ] Applicant [✓] Applicant's Authorized Agent

Stephen F. Perlik
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 16TH day of NOVEMBER 2009, in the State/Comm. of VIRGINIA, County/City of FAIRFAX.

Notary Public

My commission expires: 11/30/2011

Christopher Gardner
Notary Public
Commonwealth of Virginia
My Commission Expires _____
Commission ID# 7116660

RE: SPECIAL PERMIT APPLICATION – CORBIN, DOUG & SUSAN

STATEMENTS REGARDING FAIRFAX COUNTY ZONING ORDINANCE SECTION 8-922 ITEMS 2 THROUGH 8

2. This work will not result in the placement of a detached accessory structure in the front yard.
3. This special permit shall apply to this lot which contains a principal structure, which complied with minimum yard requirements in effect when the house was built.
4. The resulting gross floor area of the addition to the existing principal structure is less than 150 percent of the total gross floor area of the principal structure that existed at the time of the first expansion request. No portion of the principal structure is to be removed. The existing gross floor area of the basement, 1st and 2nd floors is 3,244 square feet. The proposed garage is 485 square feet. The Proposed Garage sq. ftge of 485 divided by the existing gross floor area (GFA) is 0.15. The Proposed gross floor area (existing GFA + proposed garage) is 3,729 square feet.
5. The resulting gross floor area of an existing accessory structure and any addition to it shall be clearly subordinate in purpose, scale and use and intent to the principle structure on the site. The specific dimensions are noted above, in #4, and on the Special Permit Plat.
6. As shown in the accompanying architectural drawing elevations, the proposed development will be in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structure on the lot.
7. As can be seen from the photographs, the proposed development is harmonious with surrounding off-site uses and structures in terms of the location, height, bulk and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees.
8. The proposed development will not adversely impact the use and/ or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion and storm water runoff.
9. The proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. The proposed garage will be at the top of the existing driveway. There will be no removal of major landscaping or removal of trees, and the proposed garage will have no effect on the storm water management of the site.

RECEIVED
Department of Planning & Zoning
DEC 18 2009
Zoning Evaluation Division

County of Fairfax, Virginia

MEMORANDUM

January 29, 2010

TO: Mary Ann Godfrey, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Craig Herwig, Urban Forester III
Forest Conservation Branch, DPWES

SUBJECT: Chesterbrook Woods Section 2 Lot 13 (1703 Forest Lane), SP 2010-DR-002

RE: Request for assistance dated January 21, 2010

This review is based on the Special Permit application SP 2010-DR-002 and the Special Permit Plat showing the improvements on "Chesterbrook Woods, Section 2, Lot 13" stamped "Received, Department of Planning and Zoning, December 18, 2009." A site visit was conducted on January 27, 2010.

Site Description: This site is developed with a two-story brick and frame dwelling with an existing patio and an associated asphalt driveway and an existing aluminum shed at the southeast portion of the property. Existing on-site vegetation includes a 14-inch diameter blue spruce south of the existing driveway entrance, a 16-inch diameter oak south of the existing driveway, approximately 15 feet from the driveway, an 8-inch diameter dogwood tree along the north property line, approximately 6-feet north of the existing driveway and a 12-inch diameter dogwood tree at the left rear of the dwelling. Off-site vegetation consists of a 12-inch diameter holly tree adjacent to the northern property line, approximately 12 feet from the proposed 1 story attached garage.

1. **Comment:** There is an 8-inch diameter dogwood tree along the north property line, approximately 6-feet north of the existing driveway and an off-site 12-inch diameter holly tree adjacent to the north property line, approximately 12 feet from the proposed 1-story attached garage. These on-site and off-site trees along the northern property boundary appear to be in fair to good condition and should be considered for preservation.

   Recommendation: A tree save area should be provided along the northern property boundary of the site to protect the existing on-site and off-site trees from construction activities.

Department of Public Works and Environmental Services
Land Development Services, Urban Forest Management Division
12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769
www.fairfaxcounty.gov/dpwes

Please feel free to contact me at 703-324-1770 if you have any questions or concerns about this review

CSH/
UFMID #: 148541

cc: RA File
DPZ File

Department of Public Works and Environmental Services
Land Development Services, Urban Forest Management Division
12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769
www.fairfaxcounty.gov/dpwes

8-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.

2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.

3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.

4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.

6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.

7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.

8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

8-903 Standards for All Group 9 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 9 special permit uses shall satisfy the following standards:

1. All uses shall comply with the lot size and bulk regulations of the zoning district in which located, except as may be qualified below.

2. All uses shall comply with the performance standards specified for the zoning district in which located.

3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans, or other appropriate submission as determined by the Director.

8-922 Provisions for Reduction of Certain Yard Requirements

The BZA may approve a special permit to allow a reduction of certain yard requirements subject to all of the following:

1. Only the following yard requirements shall be subject to such special permit:

   A. Minimum required yards, as specified in the residential, commercial, industrial and planned development districts in Articles 3, 4, 5 and 6, provided such yards are not subject to proffered conditions or development conditions related to yards and/or such yards are not depicted on an approved conceptual development plan, final development plan, development plan, special exception plat, special permit plat or variance plat.

   B. Yard regulations for pipestem lots and lots contiguous to pipestem driveways set forth in Sect. 2-416.

   C. Accessory structure location requirements set forth in Sect. 10-104.

   D. Regulations on permitted extensions into a minimum required yard as set forth in Sect. 2-412.

   Approval of a reduction of yard requirements specified in Paragraphs A, B and C above shall not result in any yard that is less than fifty (50) percent of the requirement and shall not result in any yard of less than five (5) feet, as measured from the lot line to the closest point of the proposed structure.

   Approval of a reduction of yard requirements specified in Par. D above shall not result in an extension that exceeds the applicable distances set forth in Sect. 2-412 by more than fifty (50) percent. Where no extension is permitted by the provisions of Sect. 2-412, the BZA shall not approve a special permit that results in a structure that extends into a minimum required yard by more than fifty (50) percent.

2. Such reduction shall not result in the placement of a detached accessory structure in a front yard where the placement of such accessory structure is not otherwise permitted in that yard.

3. This special permit shall only apply to those lots that contain a principal structure and use that complied with the minimum yard requirements in effect when the use or structure was established.

4. The resulting gross floor area of an addition to an existing principal structure may be up to 150 percent of the total gross floor area of the principal structure that existed at the time of the first yard reduction request. In such instance, if a portion of the principal structure is to be removed, no more than fifty (50) percent of the gross floor area of the existing principal structure at the time of the first yard reduction shall be removed.

5. The resulting gross floor area of an existing accessory structure and any addition to it shall be clearly subordinate in purpose, scale, use and intent to the principal structure on the site.

6. The BZA shall determine that the proposed development will be in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structure(s) on the lot.

7. The BZA shall determine that the proposed development is harmonious with the surrounding off-site uses and structures in terms of location, height, bulk and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the Director.

8. The BZA shall determine that the proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion, and stormwater runoff.

9. The BZA shall determine that the proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. Specific factors to be considered include, but are not limited to, the layout of the existing structure; availability of alternate locations for the addition; orientation of the structure(s) on the lot; shape of the lot and the associated yard designations on the lot; environmental characteristics of the site, including presence of steep slopes, floodplains and/or Resource Protection Areas; preservation of existing vegetation and significant trees as determined by the Director; location of a well and/or septic field; location of easements; and/or preservation of historic resources.

10. The BZA may impose such conditions as it deems necessary to satisfy these criteria, including, but not limited to imposition of a maximum gross floor area, floor area ratio, lot coverage, landscaping and/or screening requirements.

11. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by fifteen (15) copies of a plat and such plat shall be presented on a sheet having a maximum size of 24" x 36", and one 8 ½" x 11" reduction of the plat. Such plat shall be drawn to a designated scale of not less than one inch equals fifty feet (1" = 50'), unless a smaller scale is required to accommodate the development. Such plat shall be certified by a professional engineer, land surveyor, architect, or landscape architect licensed by the State of Virginia. Such plat shall contain the following information:

    A. Boundaries of entire property, with bearings and distances of the perimeter property lines, and of each zoning district.

    B. Total area of the property and of each zoning district in square feet or acres.

    C. Scale and north arrow, with north, to the extent feasible, oriented to the top of the plat and on all supporting graphics.

    D. The location, dimension and height of any building, structure or addition, whether existing or proposed. In addition, for decks, the height of the finished floor above finished ground level.

    E. All required minimum yards to include front, side and rear, a graphic depiction of the angle of bulk plane, if applicable, and the distances from all existing and proposed structures to lot lines.

    F. Means of ingress and egress to the property from a public street(s).

    G. For nonresidential uses, the location of parking spaces, indicating minimum distance from the nearest property line(s).

    H. If applicable, the location of a well and/or septic field.

    I. Existing and proposed gross floor area and floor area ratio.

J. Location of all existing utility easements having a width of twenty-five (25) feet or more, and all major underground utility easements regardless of width.

K. The location, type and height of any existing and proposed landscaping and screening.

L. Approximate delineation of any floodplain designated by the Federal Insurance Administration, United States Geological Survey, or Fairfax County, the delineation of any Resource Protection Area and Resource Management Area, and the approximate delineation of any environmental quality corridor as defined in the adopted comprehensive plan, and, if applicable, the distance of any existing and proposed structures from the floodplain, Resource Protection Area and Resource Management Area, or environmental quality corridor.

M. Seal and signature of professional person certifying the plat.

12. Architectural depictions of the proposed structure(s) as viewed from all lot lines and street lines to include building materials, roof type, window treatment and any associated landscaping and/or screening shall be provided.